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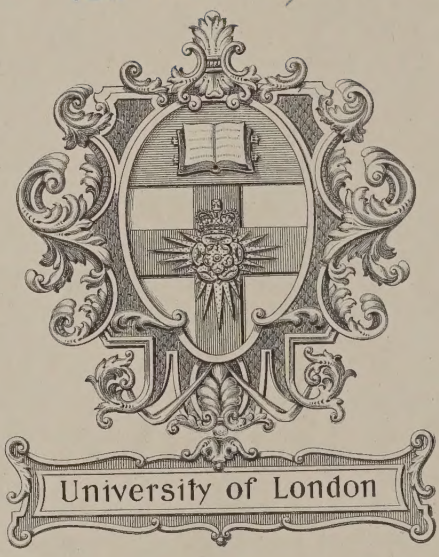

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B I L L S,

PUBLIC:

FIVE VOLUMES.

—*(3.)*—

MALT DUTY

TO

RUTHIN CHARITIES.

Session

5 *February* —— 28 *July* 1863.

VOL. III.

1863.

B I L L S:

1863.

FIVE VOLUMES:—CONTENTS OF THE

THIRD VOLUME.

N.B.—*THE* Figures *at the* beginning of the line, *correspond with the* N° *at the foot of each* Bill; *and the* Figures *at the* end of the line, *refer to the* MS. Paging *of the Volumes arranged for The House of Commons.*

Malt Duty:

20. Bill to extend the Credit for Payment of a Portion of the Exise Duty on Malt, p. 1

37. Same [as amended in Committee] - - - - - - - - - 5

Marriages (Ireland):

32. Bill to amend the Law relating to Marriages in *Ireland* (*not printed*) - - 9

Marriages, &c. (Ireland):

40. Bill to amend the Law relating to Marriages in *Ireland*, and to extend the Provisions of the Act of the Twenty-second Year of Her Majesty, Chapter Twenty, to the Consistory Courts of *Armagh* and *Dublin* - - - - - 11

88. Same [as amended in Committee] - - - - - - - - - 19

Marriages Registration (Ireland):

39. Bill to provide for the Registration of Marriages in *Ireland* - - - 25

118. Same [as amended in Committee] - - - - - - - - - 37

255. Lords' Amendments to the Marriages Registration (Ireland) Bill - - 47

Metropolitan and City of London Police Amalgamation:

89. Bill for the Amalgamation of the City of *London* Police with the Metropolitan Police - - - - - - - - - - - - - - 51

Metropolitan Main Drainage Extension:

215. Bill to extend the Powers of the Act relating to the Main Drainage of the Metropolis - - - - - - - - - - - - - 59

Metropolis Turnpike Roads Acts Amendment:

47. Bill to amend the Acts relating to the Turnpike Roads in the Neighbourhood of the Metropolis North of the River *Thames* - - - - - - - 63

131. Same [as amended by the Select Committee] - - - - - - - 81

Misappropriation by Servants:

156. Bill to amend the Law in certain Cases of Misappropriation by Servants of the Property of their Masters - - - - - - - - - - - 105

193. Same [as amended in Committee] - - - - - - - - - 109

264. Lords' Amendments to the Misappropriation by Servants Bill - - - 113

Municipal Elections:

83. Bill to amend the Law relating to Municipal Elections - - - p. 115

Mutiny (East India) Act Repeal:

166. Bill to repeal the Act of the Twentieth and Twenty-first Years of Her Majesty, Chapter Sixty-six, for punishing Mutiny and Desertion of Officers and Soldiers in the Service of the *East India* Company, and for regulating in such Service the Payment of Regimental Debts, and the Distribution of the Effects of Officers and Soldiers dying in the Service - - - - - - - - 119

Naval Coast Volunteers Act Amendment:

55. Bill, intituled, An Act to amend the Law relating to the Royal Naval Coast Volunteers - - - - - - - - - - - - 123

Naval Medical Supplemental Fund Society Winding-up Act, 1861, Amendment:

93. Bill to amend the Naval Medical Supplemental Fund Society Winding-up Act, 1861 - - - - - - - - - - - - 127

243. Lords' Amendments to the Naval Medical Supplemental Fund Society Winding-up Act, 1861, Amendment Bill - - - - - - - - - 131

Navy Prize Agents, &c.:

147. Bill for facilitating the Distribution of Prize Money, Bounties, and other such Monies to the Navy - - - - - - - - - - 133

199. Same [as amended in Committee] - - - - - - - - 141

219. Same [as amended in Committee, and on Re-commitment] - - - 147

274. Lords' Amendments to the Navy Prize Agents Bill - - - - - 155

New Zealand Boundaries:

112. Bill, intituled, An Act to alter the Boundaries of *New Zealand* - - - 157

Newcastle-upon-Tyne (Saint Mary Magdalen Hospital):

162. Bill for confirming a Scheme of the Charity Commissioners for the Management of the Charity called "The Hospital of *Saint Mary Magdalen* at *Newcastle-upon-Tyne*, in the County of *Northumberland*" - - - - - - - 161

Nuisances Removal Act (1855) Amendment:

179. Bill to amend the Nuisances Removal Act for *England*, 1855, with respect to the Seizure of diseased and unwholesome Meat - - - - - - 169

203. Same [as amended in Committee] - - - - - - - - 173

231. Same [as amended in Committee, and on Re-commitment] - - - 177

268. Lords' Amendments to the Nuisances Removal Act (1855) Amendment Bill 181

Oaths Relief in Criminal Proceedings (Scotland):

74. Bill to give Relief to Persons who may refuse or be unwilling, from alleged conscientious Motives, to be sworn in Criminal Proceedings in *Scotland* - 183

Offences (South Africa):

113. Bill, intituled, An Act for the Prevention and Punishment of Offences committed by Her Majesty's Subjects in *South Africa* - - - - - - 187

Office of Secretary at War Abolition:

72. Bill to abolish the Office of Secretary at War, and to transfer the Duties of that Office to One of Her Majesty's Principal Secretaries of State - - 191

Officers of Royal Naval Reserve:

142. Bill to establish Officers of the Royal Naval Reserve - - - - 197

244. Lords' Amendment to the Officers of Royal Naval Reserve Bill - - 201

Partnership Law Amendment:

26. Bill to amend the Law relating to Partnerships - - - - p. 203

172. Same [as amended by the Select Committee] - - - - - - 217

242. Same [as amended by the Select Committee, and on Re-commitment] - 225

Passengers Act Amendment:

143. Bill to amend the Passengers Act, 1855 - - - - - - - 235

Pauper Lunatic Asylums:

234. Bill to amend the Lunacy Acts in relation to the Building of Asylums for Pauper Lunatics - - - - - - - - - - - - 247

270. Lords' Amendments to the Pauper Lunatic Asylums Bill - - - - 251

Petty Offences:

240. Bill to amend the Law as regards Persons charged with Petty Offences, and to enable such Persons and their Wives to give Evidence - - - - 253

Petty Sessions (Ireland):

235. Bill to amend the Petty Sessions (*Ireland*) Act (1851), and the Petty Sessions Clerks (*Ireland*) Act (1858) - - - - - - - - 257

273. Lords' Amendment to the Petty Sessions (*Ireland*) Bill - - - - 261

Pier and Harbour Orders Confirmation:

109. Bill for confirming certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act, 1861, relating to *Blackpool, Deal* and *Walmer, Exmouth, Llandudno, Rhyl, Rosehearty, Ilfracombe, Instow, Bangor, Chatham, Bray, Dartmouth,* and *Nairn* - - - - - - 263

148. Same [as amended by the Select Committee] - - - - - - 363

265. Lords' Amendments to the Pier and Harbour Orders Confirmation Bill - 457

Pilotage Orders Confirmation:

206. Bill for confirming certain Provisional Orders concerning Pilotage made by the Board of Trade under the Merchant Shipping Act Amendment Act, 1862, relating to the River and Firth of *Clyde* and to *Hartlepool* - - - 459

Poisoned Grain Prohibition:

90. Bill to prohibit the Sale and Use of poisoned Grain in certain Cases - - 471

121. Bill to prohibit the Sale and Use of Poisoned Grain or Seed, or poisonous preparations, in certain Cases, and the Destruction of Birds not already protected by Law - - - - - - - - - - - - - 475

223. Same [as amended in Committee] - - - - - - - - 479

Poisoning:

181. Bill for the Prevention of accidental Poisoning - - - - - - 483

Police and Improvement (Scotland) (Provisional Order):

184. Bill to confirm a certain Provisional Order under the General Police and Improvement (Scotland) Act, 1862, relating to the Burgh of *Leith* - - - 487

Poor Law Board Continuance:

163. Bill to continue the Poor Law Board for a limited Period - - - - 491

Poor Removal:

86. Bill to amend the Law relating to the Removal of destitute Persons from *England* and *Scotland* to *Ireland* - - - - - - - - - 495

Poor Removal (No. 2):

96. Bill to authorise the Removal of Poor Persons born in *England* or *Scotland*, and chargeable in *Ireland* - - - - - - - - - - 499

Port Erin Harbour (Isle of Man):

123. Bill to authorise the taking of Harbour Dues at Port *Erin* in the *Isle of Man*, in order to provide a Fund for the Improvement of the Harbour; and for other Purposes - - - - - - - - - - - p. 505

258. Lords' Amendments to the Port *Erin* Harbour (*Isle of Man*) Bill - - 513

Postmaster General (Sale of Land):

174. Bill to enable Her Majesty's Postmaster General to sell and otherwise dispose of Land - - - - - - - - - - - - - - 515

Post Office Savings Banks:

22. Bill to amend the Law relating to Post Office Savings Banks - - - 519

Prince and Princess of Wales' Annuities:

30. Bill to enable Her Majesty to provide for the Establishment of His Royal Highness the Prince of *Wales* and Her Royal Highness the Princess *Alexandra* of *Denmark*, and to settle certain Annuities on Her Royal Highness - - - 525

Prison Ministers:

24. For the Amendment of the Law relating to the Religious Instruction of Prisoners in County and Borough Prisons in *England* and *Scotland* - - - 529

191. Lords' Amendments to the Prison Ministers Bill - - - - - 533

247. Lords' Amendments to the Commsns Amendments to the Amendments to the Prison Ministers Bill - - - - - - - - - - - 535

Prisons (Ireland):

178. Bill to amend the Law relating to Prisons in *Ireland* - - - - - 537

Promissory Notes and Bills of Exchange:

218. Bill to remove certain Restrictions on the Negotiation of Promissory Notes and Bills of Exchange under a limited Sum - - - - - - - 541

Public Houses:

67. Bill for closing Public Houses on Sunday - - - - - - - - 545

Public Works and Fisheries Acts Amendments:

198. Bill to amend, so far as regards Advances for the Purposes of "The Harbours and Passing Tolls, &c. Act, 1861," certain of the Acts authorising the Advance of Money out of the Consolidated Fund for carrying on Public Works and Fisheries and Employment of the Poor - - - - - - - 549

Public Works (Manufacturing Districts):

154. Bill to facilitate the Execution of Public Works in certain Manufacturing Districts; to authorise for that Purpose Advances of Public Money to a limited Amount upon Security of Local Rates; and to shorten the Period for the Adoption of The Local Government Act, 1858, in certain Cases - - - - 553

192. Same [as amended in Committee] - - - - - - - - - 565

245. Lords' Amendments to the Public Works (Manufacturing Districts) Bill - 579

Qualification for Offices Abolition:

4. Bill to render it unnecessary to make and subscribe certain Declarations as a Qualification for Offices and Employments - - - - - - - 581

Railway Bills:

6. Bill for diminishing the expense attending the passing of Bills relating to Railways, and affording Facilities for obtaining ample and trustworthy Information therein - - - - - - - - - - - - - - 585

Railway Bills (No. 2):

216. Bill for diminishing the Expense attending the passing of Bills relating to Railways - - - - - - - - - - - - - - 603

Railways Clauses:

208. Bill for consolidating in One Act certain Provisions frequently inserted in Acts relating to Railways - - - - - - - - - - p. 607

230. Same [as amended in Committee] - - - - - - - - - 635

277. Lords' Amendments to the Railways Clauses Bill - - - - - 657

Regimental Debts, &c.:

149. Bill to consolidate and amend the Acts relating to the Payment of Regimental Debts, and the Distribution of the Effects of Officers and Soldiers in case of Death, and to make Provision for the Cases of Desertion and Insanity, and other Cases - - - - - - - - - - - - - 659

226. Lords' Amendments to the Regimental Debts, &c. Bill - - - - 681

Register of Voters:

25. Bill, intituled, An Act to provide for an Alphabetical Index to the Register of Voters in Counties in *England* and *Wales* - - - - - - - 683

Removal of Irish Poor:

140. Bill for the further Amendment of the Law relating to the Removal of poor Persons, Natives of *Ireland*, from *England* - - - - - - - 687

254. Lords' Amendments to the Removal of *Irish* Poor Bill - - - - 693

Removal and Punishment of Prisoners:

194. Bill for remedying certain Defects in the Law relating to the Removal and Punishment of Prisoners - - - - - - - - - - - - 697

Roman Catholic Marriages Registration (Ireland):

73. Bill to permit the Registration of Roman Catholic Marriages in *Ireland* - 701

Rum Duty:

256. Bill to reduce the Duty on Rum in certain Cases - - - - - 707

Ruthin Charities:

161. Bill for confirming a Scheme of the Charity Commissioners for the Management of the Charities in the Borough of *Ruthin* in the County of *Denbigh*, comprising the Hospital of Christ and its subsidiary Endowments, the Grammar School, *Edward Lloyd's* Foundation, and Bishop *Goodman's* Charity - - - 711

16 *February* 1863. 26 Vict.

A

BILL

TO

Extend the Credit for Payment of a Portion of the Excise Duty on Malt.

Preamble.

WHEREAS the Time limited by Law for Payment of the Duty of Excise on Malt made by Makers of Malt who have given Security in that Behalf is limited to Six Weeks after the making up of the Account or Return of the Duty chargeable, and it is expedient to alter and extend the Time for Payment of a Portion of the said Duty as herein-after mentioned: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Credit for Payment of a Portion of the Excise Duty on Malt extended.

1. It shall be lawful for any Maker of Malt who has or shall have given such Security as aforesaid, if he shall think fit, and upon giving such Notice as herein-after mentioned, to defer Payment of the Duty of Excise on all Malt made or to be made by him on or after the *First* Day of *April* and before the *Sixteenth* Day of *May* in this present Year, or in any subsequent Year, until the *First* Day of *October* next following the making of such Malt: Provided, that such Maker of Malt shall give Notice in Writing, signed by him, of his

Intention so to defer such Payment to the proper Collector of Excise, on or before the *First* Day of *July* in this or any subsequent Year; and thereupon there shall be charged and paid for the Use of Her Majesty, Her Heirs and Successors, Interest computed at the Rate of *Four* per Centum per Annum upon the said Duty, for the Period of *Three* Months; (that is to say,) from the *First* Day of *July* to the *First* Day of *October* in the same Year.

Bonds and Securities continued in force.

2. Every Bond or other Security which has or shall have been given or entered into by any Maker of Malt for securing the Payment of the Duty of Excise on Malt under any former Act, and now in force, shall remain and continue in force against the Principal and Sureties who shall have made or entered into the same, as a Security for Payment as well of the said Duty according to the Directions of any former Act now in force as of the said Duty and Interest according to the Terms and Conditions of this Act, as if the said Terms and Conditions had been inserted in and made Part of the Condition of such Bond or Security, unless the said Parties or some One of them shall before the *First* Day of *July* next after the passing of this Act give Notice to the said Commissioners of his Desire to withdraw from such Bond or Security, in which Case the Maltster shall not be entitled to any Credit for Payment of the Duty of Excise on any Malt made by him until he shall have given fresh Security in that Behalf to the Satisfaction of the said Commissioners.

Not to prejudice immediate Proceedings for Duties in danger.

3. Provided always, that nothing herein contained shall be deemed to prejudice or affect the Right or Power of the said Commissioners, whenever they shall deem any of the said Duties to be in danger, to require immediate Payment thereof, and in default of Payment the same shall be recoverable forthwith as Duties of Excise due and in arrear.

Malt Duty

A

BILL

To extend the Credit for Payment of a Portion of the Excise Duty on Malt.

(*Prepared and brought in by Mr. Chancellor of the Exchequer and Mr. Peel.*)

Ordered, by The House of Commons, *to be Printed*, 16 *February* 1863.

[Bill 20.]

Under 1 *oz.*

A

B I L L

[AS AMENDED IN COMMITTEE]

TO

Extend the Credit for Payment of a Portion of the Excise Duty on Malt.

WHEREAS the Time for Payment of the Duty of Excise on Malt made by Makers of Malt who have given Security in that Behalf is limited by Law to Six Weeks after the making up of the Account or Return of the Duty chargeable, and it is expedient to alter and extend the Time for Payment of a Portion of the said Duty as herein-after mentioned: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. It shall be lawful for any Maker of Malt who has or shall have given such Security as aforesaid, if he shall think fit, and upon giving such Notice as herein-after mentioned, to defer Payment of One Moiety of the Duty of Excise on all Malt made or to be made by him on or after the First Day of January and before the Sixteenth Day of May in this present Year, or in any subsequent Year, for the Period of Three Months next after the respective Times at which the same would become payable under the Law in force immediately before Credit for Payment of a Portion of the Excise Duty on Malt extended.

before the passing of this Act: Provided that such Maker of Malt shall give Notice in Writing, signed by him, of his Intention so to defer such Payment to the proper Collector of Excise, on or before the First Day of April in this or any subsequent Year; and thereupon there shall be charged and paid, for the Use of Her Majesty, Her Heirs and Successors, Interest at the Rate of Three Pounds Five Shillings per Hundred Pounds per Annum, computed for the Period of Three Months on the respective Amounts of Duty the Payment whereof shall be so deferred as aforesaid.

Bonds and Securities continued in force.

2. Every Bond or other Security which has or shall have been given or entered into by any Maker of Malt for securing the Payment of the Duty of Excise on Malt under any former Act, and now in force, shall remain and continue in force against the Principal and Sureties who shall have made or entered into the same, as a Security for Payment as well of the said Duty according to the Directions of any former Act now in force as of the said Duty and Interest according to the Terms and Conditions of this Act, as if the said Terms and Conditions had been inserted in and made Part of the Condition of such Bond or Security, unless the said Parties or some One of them shall before the First Day of April next after the passing of this Act give Notice to the Commissioners of Inland Revenue of his Desire to withdraw from such Bond or Security, in which Case the Maltster shall not be entitled to any Credit for Payment of the Duty of Excise on any Malt made by him until he shall have given fresh Security in that Behalf to the Satisfaction of the said Commissioners.

Not to prejudice immediate Proceedings for Duties in danger.

3. Provided always, That nothing herein contained shall be deemed to prejudice or affect the Right or Power of the said Commissioners, whenever they shall deem any of the said Duties to be in danger, to require immediate Payment thereof, and in default of Payment the same shall be recoverable forthwith as Duties of Excise due and in arrear.

A

B I L L

TO

Amend the Law relating to Marriages in Ireland, and to extend the Provisions of the Act of the Twenty-second Year of Her Majesty, Chapter Twenty, to the Consistory Courts of Armagh and Dublin.

WHEREAS an Act was passed in the Seventh and Eighth Years of the Reign of Her present Majesty, Chapter Eighty-one, intituled "An Act for Marriages in Ireland, "and for registering such Marriages;" and it is expedient to alter and amend the Provisions of the said Act, so far as is herein-after provided: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. In case of any Party intending Marriage under the Provisions of the said recited Act or of this Act, no Notice of such intended Marriage shall be read or published before the Guardians of any Poor Law Union in Ireland, or be transmitted by any Registrar to the Clerk of any such Guardians. No Notice of Marriage to be published before Poor Law Guardians. 19 & 20 Vict. c. 119. s. 1.

2. Every Notice of an intended Marriage given to the Registrar under the Provisions of the said recited Act or of this Act shall be in the Form set forth in the Schedule to this Act annexed, and shall state,— Form of Notice of Marriage to Registrar. 7 & 8 Vict. c. 81. s. 13.

(1.) The true Name, Surname, Profession, or Description of each of the Persons intending Marriage:

(2.) The Church, Chapel, or registered Place of Public Worship which the Persons intending Marriage, or either of them, usually attend:

(3.) The usual Dwelling Place of each of them:

(4.) The Time, not being less than *Seven* days, during which each has dwelt therein (unless such Time is more than *One Month*, in which Case it may be so stated):

(5.) The Church, Chapel, or registered Place of Public Worship, or other Place in which the Marriage is intended to be celebrated (which must be a Place within the District of the Registrar to whom the Notice is given):

(6.) Whether the Marriage is intended to be celebrated by virtue of the Registrar's Certificate, or by virtue of his Licence.

Proceedings of Registrar.

3. The Registrar shall then proceed as follows:

(1.) He shall file the Notice so given to him, and keep the same with the Records of his Office;

(2.) He shall forthwith enter a true Copy of the Notice in his Marriage Notice Book (supplied to him by the Registrar General);

(3.) He shall keep this Book open for the Inspection of all Persons at all reasonable Times, without Fee;

(4.) He shall, on the Day on which he shall have received such Notice, or on the following Day at the latest, send by Post, in a registered Letter, a Copy of the Notice, under his Hand,—

To the Minister of the Church, Chapel, or registered Place of Public Worship stated in the Notice as that in which the Marriage is intended to be solemnized; and

To the Minister of the Church, Chapel, or registered Place of Public Worship which the Parties to the Marriage, or either of them, usually attend;

Or the Registering Officer of the Society of Friends, or Secretary of a Synagogue, by whom respectively the Marriage is to be registered, as the Case may require:

(5.) When the Marriage is intended to be contracted in the Office of the Registrar, he shall, in addition to sending a Copy of the Notice to the Minister of the Church, Chapel, or registered Place of Public Worship as aforesaid, forthwith suspend a Copy of the Notice, on a printed Form properly and legibly filled up, in some conspicuous Place in his Office, and keep the same so suspended,—in the Case of a Marriage intended to be celebrated by virtue of a Certificate, for *Twenty-one* Days,—and in the Case of a Marriage intended to be celebrated by virtue of a Licence, during *Seven* Days, next after the Day of Entry of the Notice.

4. The

Certificate or Licence not to issue until after 21 Days or 7 Days.

4. The Registrar shall not in any Case issue a Certificate until after the Expiration of *Twenty-one* Days, or grant a Licence until after the Expiration of *Seven* Days, from the Day of Entry of the Notice by him.

Registrar General to furnish Registry Books.

5. The Registrar General shall, on being thereunto required, furnish to the Minister of every registered Place of Public Worship in which Marriages may be solemnized, Marriage Register Books in Duplicate, and Forms for certified Copies thereof, as provided under the said recited Act.

Place, Time, &c. of Marriage.

6. Every Marriage solemnized by virtue of a Registrar's Certificate of Publication of Notice, or of a Registrar's Licence, according to the Usages of any Church, Denomination, or Body of Protestant Christians, shall be solemnized,

(1.) By an ordained Minister of the Church, Denomination, or Body to which the Parties to the Marriage, or either of them, shall belong;

(2.) In the registered Place of Public Worship named in the Notice;

(3.) According to the Usages of the Church, Denomination, or Body of Protestant Christians to which such Place of Worship shall belong;

(4.) Between the Hours of *Eight* in the Morning and *Twelve* of Noon;

(5.) With open Doors;

(6.) In the Presence of *Two* or more credible Witnesses besides the officiating Minister or Person solemnizing the Marriage;

And not elsewhere or otherwise. If any Person wilfully solemnize a Marriage, or pretended Marriage, contrary to the present Provision he shall be guilty of Felony.

Marriages under this Act good and cognizable.

7. The Validity of any Marriage celebrated under the Provisions of this Act by an ordained Minister of any Denomination of Protestant Christians, by virtue of such Certificate or Licence as is authorized by the said recited Act or this Act, shall not be questioned by reason of such Marriage having been celebrated without the Presence of the Registrar: and every such Marriage shall be good and cognizable in like Manner as any Marriage solemnized under the Provisions of the said recited Act: nor shall the Minister who shall solemnize any such Marriage without the Presence of the Registrar be guilty of Felony.

Entry of Marriage by Minister in Registry Books.

8. Every Minister, immediately after the Solemnization of any Marriage by him, shall enter in both the Duplicate Marriage Register Books of the Place of Worship in which the Marriage is solemnized,

the requisite Particulars respecting such Marriage: and every such Entry shall be signed by such Minister, and by the Persons married, and by Two Witnesses at the least.

Penalty for not registering Marriage.

9. If any Minister neglect or refuse to register as aforesaid any Marriage which under this Act it is his Duty to register, he shall for such Offence be liable to a Penalty of *Forty Pounds*, recoverable in any of Her Majesty's Superior Courts of Law in Dublin, with full Costs of Suit, by any Person who shall sue for the same.

Consent of Minister, &c. necessary.

10. No such Marriage as aforesaid shall be solemnized in any such Place of Public Worship without the Consent of the Minister, or of One of the Trustees or Owners, Deacons or Managers, thereof.

Persons desirous may add the Religious Ceremony to a previous Marriage.

11. If the Parties to any Marriage duly celebrated under the Provisions of the said recited Act or of this Act, by an ordained Minister of any Denomination of Protestant Christians by virtue of such Licence as is authorized by the said recited Act or this Act, shall desire to add the Religious Ceremony ordained or used by the Church or Persuasion of which such Parties, or either of them, shall be Members to the Marriage so celebrated, it shall be competent for them to present themselves for that Purpose to a Minister of the Church or Persuasion of which such Parties, or either of them, shall be Members; and such Minister, upon the Production to him of the Certificate of their Marriage by some duly appointed Minister or other Person authorized to celebrate such Marriage, may, if he think fit, read or celebrate the Marriage Service or Ceremony of the Persuasion to which he shall belong, in the Church, Chapel, or registered Place of Public Worship of which he shall be Minister; in every such Case the Minister, or Person reading or celebrating such Service or Ceremony, shall add to the Entry of the requisite Particulars in the Marriage Register Books, or to the Certificate of the Marriage to be sent to the Registrar General (as the Case may be), a special Note of the Fact of the Parties having been previously joined in Marriage, and also the Name of the Minister or other Person by whom such previous Marriage shall have been celebrated, and the Church or other Place where such Marriage shall have been celebrated.

Invalid Marriages.

12. Nothing in this Act contained shall extend or be construed to extend, to the giving Validity to any Marriage or pretended Marriage, not now valid under the existing Laws.

Omission to send Notice of Marriage Penalty, 40*l*.

13. If any Registrar shall neglect or refuse to send a Copy of the Notice given to him by either of the Parties intending Marriage, to the Minister of the Church, Chapel, or registered Place

Place of Public Worship where the Marriage is to be solemnized; and to the Minister of the Church, Chapel, or registered Place of Public Worship where the Parties to the Marriage, or either of them, usually attend; he shall be liable to a Penalty of *Pounds*, recoverable in any of Her Majesty's Superior Courts of Law in Dublin, with full Costs of Suit, by any Person who shall sue for the same.

Penalty on making false Declaration, or giving false Notice. 19 & 20 Vict. c. 119 s. 18.

14. Any Person who shall knowingly, or wilfully, make any false Declaration, or sign any false Notice, required by the said recited Act or by this Act, for the Purpose of procuring any Marriage, shall suffer the Penalties of Perjury.

Judge to give Consent to Marriage in Cases of Incapacity of Parent, &c.

15. And whereas the Appointment of Guardians in the Court of Chancery is attended with Expense; and it is expedient to facilitate the Solemnization of Marriages with Licence: Be it enacted, That if the Parties to be married or either of them be under the Age of *Twenty-one* Years, and the Father or Fathers, Guardian or Guardians, Mother or Mothers, of such Party or Parties, or any of them, whose Consent is required to the Marriage of such Party or Parties, shall be non compos mentis, or in Parts beyond the Seas, or shall unreasonably, or from undue Motives, refuse or withhold his, her, or their Consent to a proper Marriage, or if there be no Father, Mother, or Guardian of such Party or Parties, or of One of them, then it shall be lawful for any Person intending Marriage, in any of the before-mentioned Cases, to include in the Notice of Marriage required by the said recited Act to be served upon a Surrogate or Deputy Surrogate Notice of an Intention to apply to the Judge of the Consistory Court of Armagh, or to the Judge of the Consistory Court of Dublin, as the Case may require, for the Consent of such Judge to the Solemnization of such Marriage, who shall have Power to examine, in a summary Way, by the Oaths of Witnesses and otherwise, into the Merits of such Application, and to adjudicate thereon; and if, upon Examination, such Marriage shall appear to be proper, such Judge shall declare the same so to be, and shall enter such Declaration in the Marriage Notice Book of his Office; and such judicial Declaration shall be deemed and taken to be as good and effectual to all Intents and Purposes, as if the Father, Guardian or Guardians, or Mother, of the Person so applying had consented to such Marriage.

Power to examine Witnesses, &c., in Places out of Ireland.

16. Whereas it is expedient that Facilities should be afforded for taking Evidence in or in relation to Actions, Suits, and Proceedings pending before Ecclesiastical Courts in Ireland, in Places in Her Majesty's Dominions out of the Jurisdiction of such Tribunals: Be it enacted, That the Provisions of the Act passed in the Session of Parliament holden in the Twenty-second year of the Reign of Her present

Majesty, Chapter Twenty, shall, from and after the *passing of this Act*, extend and apply to the Consistory Courts of Armagh and Dublin respectively, and the Judges thereof; and the Consistory Courts of Armagh and Dublin, respectively, and the Judges thereof, shall be Courts and Judges having Authority under the said Act.

Not to alter Provisions of existing Act, except where at variance with this Act.

17. Except where the Provisions of the said recited Act are expressly altered by or are at variance with the Provisions of this Act, nothing herein contained shall alter, repeal, or affect, or be construed so as in any Manner to alter, repeal, or affect, any of the Provisions or Clauses contained in the said Act, but, except as aforesaid, the same Provisions and Clauses respectively shall be and remain in full Force and Effect as if this Act had not been passed; and this Act shall, except as aforesaid, be considered as incorporated with the same Provisions and Clauses, and be construed in connexion therewith.

Commencement of Act.

18. This Act shall come into operation on the *First Day of Eighteen hundred and sixty-* and none of the Provisions thereof shall take effect previous to that Day.

Limitation of Act.

19. This Act shall not apply to England or Scotland.

Notice of Marriage.

To *A.B.*, Registrar [*or* Deputy Registrar] of the District of in the County of

I the undersigned *James Smith* hereby give you Notice, that a Marriage is intended to be had, without [*or* by, *as the Case may be*] Licence, within Three Calendar Months from the Date hereof, between me and the other Party named and described; (that is to say,)

Name and Surname.	Condition.	Rank or Profession.	Age.	Dwelling Place.	Length of Residence.	Church, Chapel, or Place of Worship which the Parties usually attend respectively.	Church, Chapel, Place of Public Worship, or Building in which the Marriage is to be solemnized.	District and County in which the Parties respectively dwell.
James Smith -	*Widower* -	*Ironmonger* -	*Twenty-five Years.*	*23, Trinity Street, Parish of St. Andrew's, City of Dublin.*	*Seven Days* [or *Fifteen Days*, as the Case may be].	*Primitive Wesleyan Methodist Chapel, Great George Street.*	*Sion Chapel, Maryborough.*	*District of —— County of Dublin.*
Martha Green -	*Spinster* -	- - -	*Nineteen Years*	*Grove Farm, Townland of Grove, Parish of Maryborough.*	*More than One Month.*	*Sion Chapel, Maryborough.*		*District of Maryborough, County of Queen's County.*

Witness my Hand this [ ] day of [ ] One thousand eight hundred and [*sixty-three.*]

(Signed) *James Smith.*

(The Particulars in this Schedule to be entered according to the Fact.)

Marriages, &c. (Ireland).

A

BILL

To amend the Law relating to Marriages in Ireland, and to extend the Provisions of the Act of the Twenty-second Year of Her Majesty, Chapter Twenty, to the Consistory Courts of Armagh and Dublin.

(Prepared and brought in by Sir Edward Grogan, Mr. Vance, and Mr. Longfield.)

Ordered, by The House of Commons, *to be Printed*, 26 *February* 1863.

[Bill 40.]

Under 1 *oz.*

A

B I L L

[AS AMENDED IN COMMITTEE]

TO

Amend the Law relating to Marriages in Ireland.

Preamble.

WHEREAS an Act was passed in the Seventh and Eighth Years of the Reign of Her present Majesty, Chapter Eighty-one, intituled "An Act for Marriages in Ireland, "and for registering such Marriages;" and it is expedient to alter and amend the Provisions of the said Act, so far as is herein-after provided: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

No Notice of Marriage to be published before Poor Law Guardians. 19 & 20 Vict. c. 119. s. 1.

1. In case of any Party intending Marriage under the Provisions of the said recited Act or of this Act, no Notice of such intended Marriage shall be read or published before the Guardians of any Poor Law Union in Ireland, or be transmitted by any Registrar to the Clerk of any such Guardians.

Form of Notice of Marriage to Registrar. 7 & 8 Vict. c. 81. s. 13.

2. Every Notice of an intended Marriage given to the Registrar under the Provisions of the said recited Act or of this Act shall be in the Form set forth in the Schedule to this Act annexed, and shall state,—

(1.) The true Name, Surname, Profession, or Condition of each of the Persons intending Marriage:

(2.) The Church, Chapel, or registered Place of Public Worship which the Persons intending Marriage, or either of them, usually attend:

(3.) The usual Dwelling Place of each of them:

(4.) The Time, not being less than Seven Days, during which each has dwelt therein (unless such Time is more than One Month, in which Case it may be so stated):

(5.) The Church, Chapel, or registered Place of Public Worship, or other Place in which the Marriage is intended to be celebrated (which must be a Place within the District of the Registrar to whom the Notice is given):

(6.) Whether the Marriage is intended to be celebrated by virtue of the Registrar's Certificate, or by virtue of his Licence.

Proceedings of Registrar.

3. The Registrar shall then proceed as follows:

(1.) He shall file the Notice so given to him, and keep the same with the Records of his Office;

(2.) He shall forthwith enter a true Copy of the Notice in his Marriage Notice Book (supplied to him by the Registrar General);

(3.) He shall keep this Book open for the Inspection of all Persons at all reasonable Times, without Fee;

(4.) He shall, on the Day on which he shall have received such Notice, or on the following Day at the latest, send by Post, in a registered Letter, a Copy of the Notice, under his Hand,—

To the Minister of the Church, Chapel, or registered Place of Public Worship stated in the Notice as that in which the Marriage is intended to be solemnized; and

To the Minister of the Church, Chapel, or registered Place of Public Worship which the Parties to the Marriage, or either of them, usually attend;

Or the Registering Officer of the Society of Friends, or Secretary of a Synagogue, by whom respectively the Marriage is to be registered, as the Case may require:

(5.) When the Marriage is intended to be contracted in the Office of the Registrar, he shall, in addition to sending a Copy of the Notice to the Minister of the Church, Chapel, or registered Place of Public Worship as aforesaid, forthwith suspend a Copy of the Notice, on a printed Form properly and legibly filled up, in some conspicuous Place in his Office, and keep the same so suspended,—in the Case of a Marriage intended to be celebrated by virtue of a Certificate, for Twenty-one Days,—and in the Case of a Marriage intended to be celebrated by virtue of a Licence, during Seven Days, next after the Day of Entry of the Notice;

And the Registrar shall be entitled to a Fee of One Shilling for each registered Letter sent by him.

4. The

4. The Registrar shall not in any Case issue a Certificate until after the Expiration of Twenty-one Days, or grant a Licence until after the Expiration of Seven Days, from the Day of Entry of the Notice by him. Certificate or Licence not to issue until after 21 Days or 7 Days.

5. The Registrar General shall, on being thereunto required, furnish to the Minister of every registered Place of Public Worship in which Marriages may be solemnized, Marriage Register Books in Duplicate, and Forms for certified Copies thereof, as provided under the said recited Act. Registrar General to furnish Registry Books.

6. Every Marriage solemnized by virtue of a Registrar's Certificate of Publication of Notice, or of a Registrar's Licence, according to the Usages of any Church, Denomination, or Body of Protestant Christians, shall be solemnized, Place, Time, &c. of Marriage.

(1.) By a Minister of the Church, Denomination, or Body to which the Parties to the Marriage, or either of them, shall belong;

(2.) In the registered Place of Public Worship named in the Notice;

(3.) Between the Hours of Eight in the Morning and Twelve of Noon;

(4.) With open Doors;

(5.) In the Presence of Two or more credible Witnesses besides the officiating Minister or Person solemnizing the Marriage;

And not elsewhere or otherwise. If any Person wilfully solemnize a Marriage, or pretended Marriage, contrary to the present Provision he shall be guilty of Felony.

7. The Presence of the Registrar shall not be necessary at any Marriage celebrated under the Provisions of this Act, in any House of Worship registered or certified under the said recited Act: and every such Marriage shall be good and cognizable in like Manner as any Marriage solemnized under the Provisions of the said recited Act: nor shall the Minister who shall solemnize any such Marriage without the Presence of the Registrar be guilty of Felony. Marriages under this Act good and cognizable.

8. Every Minister, immediately after the Solemnization of any Marriage by him, shall enter in both the Duplicate Marriage Register Books of the Place of Worship in which the Marriage is solemnized, the requisite Particulars respecting such Marriage: and every such Entry shall be signed by such Minister, and by the Persons married, and by Two Witnesses at the least; and such Minister shall, in April, July, October, and January, every Year, send to the Registrar General, on a printed Form (supplied to him by the Registrar General,) Entry of Marriage by Minister in Registry Books.

neral,) a Copy, certified by him under his Hand, of all Entries in the Duplicate Marriage Register Books in his keeping made in the Quarter of a Year then last past, or certify under his Hand that no such Entry has been made in such Quarter, if the case so be.

Penalty for not registering Marriage.

9. If any Minister neglect or refuse to register as aforesaid any Marriage which under this Act it is his Duty to register, he shall for such Offence be liable to a Penalty of Forty Pounds, recoverable in any of Her Majesty's Superior Courts of Law in Dublin, with full Costs of Suit, by any Person who shall sue for the same.

Consent of Minister, &c. necessary.

10. No such Marriage as aforesaid shall be solemnized in any such Place of Public Worship without the Consent of the Minister, or of One of the Trustees or Owners, Deacons or Managers, thereof.

Omission to send Notice of Marriage Penalty, 40*l.*

11. If any Registrar shall neglect or refuse to send a Copy of the Notice given to him by either of the Parties intending Marriage, to the Minister of the Church, Chapel, or registered Place of Public Worship where the Marriage is to be solemnized; and to the Minister of the Church, Chapel, or registered Pace of Public Worship where the Parties to the Marriage, or either of them, usually attend; he shall be liable to a Penalty of Forty Pounds, recoverable in any of Her Majesty's Superior Courts of Law in Dublin, with full Costs of Suit, by any Person who shall sue for the same.

Penalty on making false Declaration, or giving false Notice. 19 & 20 Vict. c. 119 s. 18.

12. Any Person who shall knowingly, or wilfully, make any false Declaration, or sign any false Notice, required by the said recited Act or by this Act, for the Purpose of procuring any Marriage, shall suffer the Penalties of Perjury.

Not to alter Provisions of existing Act, except where at variance with this Act.

13. Except where the Provisions of the said recited Act are expressly altered by or are at variance with the Provisions of this Act, nothing herein contained shall alter, repeal, or affect, or be construed so as in any Manner to alter, repeal, or affect, any of the Provisions or Clauses contained in the said Act, but, except as aforesaid, the same Provisions and Clauses respectively shall be and remain in full Force and Effect as if this Act had not been passed; and this Act shall, except as aforesaid, be considered as incorporated with the same Provisions and Clauses, and be construed in connexion therewith.

Commencement of Act.

14. This Act shall come into operation on the First Day of August Eighteen hundred and sixty-three, and none of the Provisions thereof shall take effect previous to that Day.

Limitation of Act.

15. This Act shall not apply to England or Scotland.

NOTICE

Notice of Marriage.

To *A.B.*, Registrar [*or* Deputy Registrar] of the District of in the County of .

I the undersigned *James Smith* hereby give you Notice, that a Marriage is intended to be had, without [*or* by, *as the Case may be*] Licence, within Three Calendar Months from the Date hereof, between me and the other Party named and described; (that is to say,)

Name and Surname.	Condition.	Rank or Profession.	Age.	Dwelling Place.	Length of Residence.	Church, Chapel, or Place of Worship which the Parties usually attend respectively.	Church, Chapel, Place of Public Worship, or Building in which the Marriage is to be solemnized.	District and County in which the Parties respectively dwell.
James Smith -	*Widower* -	*Ironmonger* -	*Twenty-five Years.*	*23, Trinity Street, Parish of St. Andrew's, City of Dublin.*	*Seven Days* [or *Fifteen Days*, as the Case may be].	*Primitive Wesleyan Methodist Chapel, Great George Street.*	*Sion Chapel, Maryborough.*	*District of ——— County of Dublin.*
Martha Green -	*Spinster* - - - -		*Nineteen Years*	*Grove Farm, Townland of Grove, Parish of Maryborough.*	*More than One Month.*	*Sion Chapel, Maryborough.*		*District of Maryborough, County of Queen's County.*

Witness my Hand this [ ] day of [ ] One thousand eight hundred and [*sixty-three.*]

(Signed) *James Smith.*

(The Particulars in this Schedule to be entered according to the Fact.)

Marriages, &c. (Ireland).

A

BILL

[AS AMENDED IN COMMITTEE]

To amend the Law relating to Marriages in Ireland.

(*Prepared and brought in by Sir Edward Grogan, Mr. Vance, and Mr. Longfield.*)

Ordered, by The House of Commons, *to be Printed*, 22 *April* 1863.

[Bill 88.]

Under 1 *oz.*

A

BILL

TO

Provide for the Registration of Marriages in Ireland.

WHEREAS it is expedient that a System of Registration of such Marriages as are not within the Provisions of an Act of the Session holden in the Seventh and Eighth Years of Her present Majesty, Chapter Eighty-one, should be established and maintained in Ireland: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. This Act may be cited for all Purposes as "The Registration of Marriages (Ireland) Act, 1863." Short Title.

2. This Act, except as herein otherwise provided, shall extend to Ireland only. Act to extend to Ireland only except, &c.

3. The General Register Office which shall be provided under the Provisions of a Bill that has been considered by the House of Commons, intituled "The Registration of Births and Deaths (Ireland) Act," shall be the General Registry Office for the Purposes of this Act; and the Registrar General and the several Officers, Clerks, and Servants to be appointed from Time to Time in the said Office under the General Registry Office established under Registration of Births and Deaths (Ireland) Act, to be the Office

for Purposes of this Act.

Provisions of the said Bill shall be the Registrar General, Officers, Clerks, and Servants for the Purposes of this Act; and they and each of them shall, in addition to their other Duties, perform all the Duties, Matters, and Things required in the said Office or otherwise for the Purpose of carrying the Provisions of this Act into effect: The said Registrar General shall be and be called the Registrar General of Births, Deaths, and Marriages in Ireland.

Seal of Office to be made.

4. The Registrar General shall cause to be made a Seal of the said General Registrar's Office, and also a Seal for each of the Superintendent Registrars and Registrars Districts herein-after mentioned, and the said Registrar General and each of the Superintendent Registrars and Registrars herein-after mentioned respectively shall cause to be sealed or stamped with their said respective Seals all certified Copies of Entries given in the said Office or in their respective Districts; and all certified Copies of Entries purporting to be sealed or stamped with any of the said Seals, (which Seals it shall not be necessary to prove,) shall be admissible as Evidence in all Parts of Her Majesty's Dominions of the Marriage to which the same relates without any further or other Proof of such Entry, and no certified Copy purporting to be given in the said Office or in any of the said Districts shall be of any Force or Effect which is not sealed or stamped as aforesaid.

Registrar General may alter Forms.

5. It shall be lawful for the Registrar General, with the Consent of the Lord Lieutenant in Council, to alter the Forms annexed to this Act, regard being always had to the Objects and Purposes of this Act, and to rendering the same more effectual; and such Alterations of Forms shall be published in the Dublin Gazette, and shall thereupon be deemed to be the Forms required to be used by this Act, and shall, within *Fourteen* Days after the same shall have been issued, be laid before both Houses of Parliament, or if Parliament shall not be then sitting within *Fourteen* Days after the Commencement of the then next Session.

Registrar General to furnish to Boards of Guardians Notices setting forth Acts required to be done under this Act.

6. The Registrar General shall, in sufficient Time before the *Thirty-first Day of December One thousand eight hundred and sixty-three*, furnish to the Guardians of every Union printed Notices, which the said Guardians shall on or before the said *Thirty-first Day* of *December* cause to be fixed or placed on the Outside of the several Church and Chapel Doors, or other public and conspicuous Buildings or Places within their respective Unions, and which said Notices shall specify the several Acts required to be done for the Purpose of registering any Marriage under Provisions of this Act.

7. All

Fees received by Registrar General to be paid into Bank of Ireland to Credit of Exchequer.

7. All Fees received by or on account of the Registrar General under the Provisions of this Act shall be accounted for and paid by the Registrar General, at such Times as the said Commissioners of Her Majesty's Treasury shall from Time to Time direct, into the Bank of Ireland, to the Credit of Her Majesty's Exchequer.

Salaries not otherwise provided for to be paid out of Monies provided by Parliament.

8. The Salaries of the Officers, Clerks, and Servants, and all other Expenses of any kind of carrying this Act into execution not herein otherwise provided for, shall be paid out of any Monies which may from Time to Time be provided by Parliament for that Purpose.

Supply of Books and Boxes.

Iron Boxes for Register Books to be provided.

9. The Commissioners of Her Majesty's Treasury shall cause to be furnished, upon the Application of the Registrar General, for the Use of the Superintendent Registrars and Registrars herein-after mentioned, a sufficient Number of strong Iron Boxes to hold the Register Books to be kept by each Superintendent Registrar and Registrar; and every such Box given to each Registrar shall be furnished with a Lock and Two Keys, and no more, and One of such Keys shall be kept by the Registrar and the other by the Superintendent Registrar appointed under this Act; and the Register Books of each District while in Custody of the Registrar and not in use shall be always kept in the Register Box, which shall always be left locked.

Register Books to be provided.

10. The Commissioners of Her Majesty's Treasury shall cause to be furnished from Time to Time from Her Majesty's Stationery Office, upon the Application of the Registrar General, all such Stationery, Books, Indexes, Certificates, Schedules, Notices, and Forms as shall be necessary in the Execution of this Act as the said Registrar General shall require and direct; and the Register Books shall be of durable Materials, and in them shall be printed on each Side of every Leaf the Heads of Information herein required to be known and registered of Marriages, and every Page of each of such Books shall be numbered progressively from the Beginning to the End of the Book, beginning with Number One, and every Place of Entry shall be also numbered progressively from the Beginning to the End of the Book, beginning with Number One, and every Entry shall be divided from the following Entry by a printed Line; and the Registrar General shall furnish for the Use of the Registrars a sufficient Number of Register Books of Marriages and such Schedules of Certificates and Notices as may from Time to Time be required for the Purposes of this Act.

Registrars under Registration of Births, &c. Act, to be Registrars for Purposes of this Act.

11. The several Superintendent Registrars and Registrars Districts which shall from Time to Time be made under the Provisions of the said Bill shall be the Superintendent Registrars and Registrars Districts for the Purposes of this Act.

Register Offices under said Act to be Offices for Purposes of this Act.

12. The several Register Offices which shall from Time to Time be provided and upheld under the Provisions of the said Bill shall be the Register Offices for the Purposes of this Act, and the Registers as herein-after provided shall be deposited and kept therein; and the Custody of the Registers so deposited therein shall be given to the Superintendent Registrar of the District.

Superintendent Registrars under said Act to act for Purposes of this Act.

13. The several Superintendent Registrars of the several Districts, and their respective Deputies appointed from Time to Time, and acting under the Provisions of the said Bill, shall from Time to Time be the Superintendent Registrars and Registrars of their respective Districts for the Purposes of this Act.

On Death, &c. of Registrars, Register Boxes, Books, &c. to be handed over to Successors.

14. In every Case in which any Superintendent Registrar or Registrar shall die or be removed from or otherwise cease to hold his Office, all Register Boxes, Books, Documents, and Papers in his Possession as such Superintendent Registrar or Registrar, or which shall come into the Possession of his Representatives, shall be given up as soon as conveniently may be to his Successor in Office; and if any Person shall refuse to give up any such Box, Key, Books, Documents, or Papers in such Case as aforesaid it shall be lawful for any Justice of the Peace for the County or other Jurisdiction where such Person shall be or reside, upon Application made for that Purpose, to issue a Warrant under his Hand and Seal for bringing such Person before any *Two* Justices of the Peace for such County or other Jurisdiction, and upon such Person appearing or not being found it shall be lawful for such Justices to hear and determine the Matter in a summary Way; and if it shall appear to the Justices that any such Box, Key, Books, Documents, or Papers are in the Custody or Possession of any such Person, and that he has refused or wilfully neglected to deliver the same to the Person in whose Custody the same ought to be, the said Justices shall commit such Offender to the Common Jail or House of Correction for such County or other Jurisdiction, there to remain until he shall have delivered up the same, or until Satisfaction shall have been given in respect thereof to the Person in whose Custody the same ought to be, and the said Justices may grant a Warrant to search for such Box, Key, Books, Documents, or Papers, as in the Case of stolen Goods in any Dwelling House or other Premises, in which any credible Witness shall prove upon Oath before

before them, that there is reasonable Cause to suspect the same to be, and the same, when found, shall be delivered to the Person in whose Custody they ought to be.

Registrars to supply printed Forms.

15. The Registrars shall supply gratis to all Persons hereby required to give Information who shall apply therefor printed Forms of Certificates setting forth the Heads of the Particulars required to be specified and inserted in such Forms, and shall also upon Application therefor supply such Forms to any Clergyman in their respective Districts at any Time applying for the same.

Provision for Marriages not within Provisions of 7 & 8 Vict. c. 81.

16. In all Cases of Marriages which may be legally solemnized in Ireland, and which do not come within the Provisions of the said Act of the Seventh and Eighth Years of Her Majesty, Chapter Eighty-one, the Parties about to contract any such Marriage shall produce to the Clergyman celebrating the Marriage a Certificate according to the Form of the Schedule hereunto annexed, having all the Information thereby required inserted therein, or the said Parties shall fill or cause to be filled up in the Presence of such Clergyman such a Certificate, and it shall be signed by the Parties contracting the Marriage and by the Witnesses present thereat, not being less than *Two*, and also by the said Clergyman; and the Parties contracting the Marriage shall within *Three Days* thereafter either deliver or send by Post such Certificate to the Registrar of the District wherein the Marriage was solemnized, and the Husband shall in case of Failure so to deliver or send such Certificate be liable in a Penalty not exceeding *Ten Pounds*, to be recovered as hereinafter provided.

Persons unable to write may sign by making Cross.

17. In case of the Inability to write of any Person whose Signature is required or necessary under this Act it shall be lawful for such Person to make such Signature by making a Cross or other Mark, which shall be made in the Presence of the Clergyman or *Two* Witnesses, who shall attest the same, and such Mark shall be in all respects as binding and effectual as the Signature of such Person, if capable of writing, would have been.

Particulars of Certificates to be entered in Register Books.

18. Every Registrar, on receipt of any such Certificate, shall forthwith enter the Particulars thereof in the Register Book: Provided always, that if any Error or false Information or Particulars shall be discovered to exist or to have been committed in any such Certificate or any such Entry thereof, the Person discovering the same shall forthwith give Information thereof to the Superintendent Registrar of the District in which such Certificate or Entry was made; and it shall be lawful for the Superintendent Registrar, and

he is hereby required, to summon before any Justice or Justices at Petty Sessions the Person who made, or any Person or Persons concerned in the making of, such erroneous Certificate or Entry or having Knowledge regarding the same, and also any Parties interested in the Effect of such erroneous Certificate or Entry; and it shall be lawful for the said Justice or Justices to examine all such Parties on Oath, and if he or they shall be satisfied that any Error has been committed in any such Certificate or Entry he or they shall, by Authority in Writing, direct a corrected Entry of the Marriage in relation to which such Error has been committed, and bearing the Date of the Correction, to be made in a separate Register Book, to be called the Register of corrected Entries, and the Superintendent Registrar in whose Custody the Register containing the original Entry shall be shall make such corrected Entry, and shall make an Entry or Memorandum on the original Entry, referring by Volume, Page, and Date to the Entry made in the Register of corrected Entries, and shall send to the Registrar General like Copies of the corrected Entries, and at like Times as herein-after required in the Case of the original Entries in the Register Books.

Returns.

Certified Copies of Registers of Births and Deaths to be sent quarterly, and the Register Books, when filled, to the Superintendent Registrar.

19. In the Months of *April*, *July*, *October*, and *January*, on such Days as shall from Time to Time be appointed by the Registrar General, every Registrar shall make and deliver to the Superintendent Registrar of his District, on durable Materials, a true Copy, certified by him under his Hand, according to the Form to this Act annexed, of all the Entries of Marriages made during the Quarter of a Year last preceding the *First* Day of each of the several Months herein-before mentioned respectively, in the Register Books kept by him, the first of such certified Copies to be given in the *Month of April in the Year One thousand eight hundred and sixty-four*, and the Superintendent Registrar shall examine the same, and if found to be correct shall certify the same under his Hand to be a true Copy: If there shall have been no Marriages registered since the Delivery of the last Certificate the Registrar shall certify the Fact, and such Certificate shall be delivered to the Superintendent Registrar as aforesaid, and be countersigned by him: The Registrar shall keep safely each of the Register Books furnished to him as herein-before mentioned until it shall be filled, and shall then deliver it to the Superintendent Registrar to be kept by him with the Records of his Office.

Superintendent Registrars to send certified

20. Every Superintendent Registrar shall *Four* Times in every Year, on such Days as shall be named for the Purpose by the Registrar General, send to the Registrar General all the certified Copies of

of the Registers of Marriages which he shall have received from the Registrars of Marriages as aforesaid for the Quarter of a Year last preceding the *First* Day of each of the several Months herein-before mentioned respectively; and the Registrar General, if it shall appear by Interruption of the regular Progression of Numbers, or otherwise, that the Copy of any Part of any Book has not been duly delivered to him, shall procure, as far as possible, consistently with the Provisions of this Act, that the same may be remedied and supplied; the certified Copies so sent to the General Register Office shall be thereafter kept in the said Office in such Order and Manner as the Registrar General, under the Direction of the Lord Lieutenant, shall think fit, so that the same may be most readily seen and examined.

Copies of Registers of Marriages to Registrar General.

21. The Registrar General shall once in every Year transmit to the Lord Lieutenant a General Abstract of the Numbers of Marriages registered during the foregoing Year in such Form and at such Date as the Lord Lieutenant shall from Time to Time prescribe; and every such annual General Abstract shall be laid before Parliament within *One Month* after Receipt thereof, or, if Parliament shall not be then sitting, within *One Month* after the Commencement of the next Session.

Abstract of Registers to be laid annually before Parliament.

22. The Registrar General shall cause Indexes of all the Registers herein mentioned to be made and kept in the General Register Office; and every Person shall be entitled to search the said Indexes between the Hours of *Ten* in the Morning and *Four* in the Afternoon of every Day, except Sundays, Christmas Day, and Good Friday, and to have a certified Copy of any Entry in the said Registers; and for every general Search of the said Indexes the Sum of *Twenty Shillings*, and for every particular Search the Sum of *One Shilling*, and for every such certified Copy the Sum of *Two Shillings and Sixpence* shall be paid to the Registrar General or such other Officer as shall be appointed to receive such Fees on his Account, in addition to the Stamp Duty of One Penny imposed by an Act passed in the Twenty-third Year of Her Majesty, Chapter Fifteen.

Indexes to be kept at General Register Office; Searches allowed and certified Copies given.

23. Every Superintendent Registrar shall cause Indexes of the Register Books in his Office to be made and kept with the other Records of his Office: Every Person shall be entitled on such Days and at such reasonable Hours as shall be directed by the Registrar General to search the said Indexes, and to have a certified Copy of any Entry or Entries in the said Register Books, under the Hand and Seal of the Superintendent Registrar, on Payment of the Fees herein-after mentioned; that is to say, for every general Search the

Indexes to be made at every Superintendent Registrar's Office, and Persons allowed to search them.

Sum of *Five Shillings*, and for every particular Search the Sum of *One Shilling*, and for every certified Copy the Sum of *Two Shillings and Sixpence*, in addition to the Stamp Duty of One Penny imposed by an Act passed in the Twenty-third Year of Her Majesty, Chapter Fifteen.

Persons entitled to search Register Books.

24. Every Person shall be entitled on such Days and at such reasonable Hours as shall be directed by the Registrar General to search such Entries in the Register Books in the Custody of the Registrars as shall not have been included in the last preceding Return made by such Registrar to his Superintendent Registrar, and to have a certified Copy of any such Entry or Entries under the Hand and Seal of the Registrar, on Payment of the Fees hereinafter mentioned; that is to say, for every such Search the Sum of *Sixpence*, and for every certified Copy the Sum of *Two Shillings and Sixpence*, in addition to the Stamp Duty of One Penny imposed by an Act passed in the Twenty-third Year of Her Majesty, Chapter Fifteen.

Fees.

Superintendent Registrars to be paid for the certified Copies sent to General Register Office.

25. Every Superintendent Registrar shall make out an Account *Four* Times in every Year, on such Days and for such Periods as shall from Time to Time be appointed by the Registrar General, of the Number of Entries in such certified Copies so sent by him to the Registrar General as provided by this Act, and shall send the said Account to the Registrar General: If on Examination and Comparison with the certified Copies of the Registers or Certificates received by the Registrar General such Account shall be found correct, the Superintendent Registrar shall be entitled to receive *Twopence* from the Registrar General for every Entry in such certified Copies of Registers of Marriages.

Registrars to make out an Account of Number of Marriages Four Times yearly.

26. Every Registrar shall make out an Account *Four* Times in each Year, on such Days and for such Periods as shall from Time to Time be appointed by the Registrar General, of the Number of Marriages which he shall have registered in pursuance of the Provisions of this Act, and the Superintendent Registrar shall verify and sign the same: The Guardians of the Union in which he shall be Registrar, on Production of the said Account so verified and signed, shall pay to the said Registrar, out of the Monies in their Hands or Power as such Guardians, at the Rate of *Sixpence* for every Entry of Marriage included in such Account, and the same shall be charged to the Union at large, and such Guardians shall be and they are hereby empowered to levy off the Union at large such Sums so paid by them, and such Sums shall be included in the Rates which such Guardians are by Law empowered to levy and raise.

27. Every

Persons making false Statements for Entry on Register to be subject to Penalties for Perjury.

27. Every Person who shall wilfully make or cause to be made, for the Purpose of being inserted in any Register of Marriages, any false Statement touching any of the Particulars herein required to be known and registered, shall be subject to the same Pains and Penalties as if he were guilty of Perjury.

Sects. 36. and 37. of 24 & 25 Vict. c. 98. incorporated with Act.

28. The 36th and 37th Sections of an Act passed in the 24th and 25th Years of Her Majesty, intituled "An Act to consolidate and amend the Statute Law of England and Ireland relating to indictable Offences by Forgery," shall be incorporated with and form Part of this Act.

Penalty for Neglect of Registrar to register Marriage, &c.

29. Every Registrar who shall refuse or without reasonable Cause omit to register any Marriage of which he shall have received a Certificate, and every Person having the Custody of any Register Book or any Part thereof, who shall carelessly lose or injure the same or carelessly allow the same to be injured whilst in his keeping, shall forfeit a Sum not exceeding *Ten Pounds* for every such Offence.

Penalty for Omission to deliver Registers to Superintendent Registrar or Registrar General.

30. Every Person who under the Provisions of this Act is required to deliver the Registers of Marriages or Copies of such Registers to any Superintendent Registrar or to the Registrar General, and who after being duly required to deliver such Register or Copies as aforesaid shall refuse or during *One* Calendar Month neglect so to do, shall be liable for every such Offence to forfeit a Sum not exceeding *Ten Pounds*.

Penalties how recoverable.

31. Any Penalty recoverable under the Provisions of this Act, shall be recoverable in a summary Way, with respect to the Police District of Dublin Metropolis, subject and according to the Provisions of any Act regulating the Powers and Duties of Justices of the Peace for such District, or of the Police of such District, and, with respect to other Parts of Ireland, before a Justice or Justices of the Peace sitting in Petty Sessions, subject and according to the Provisions of "The Petty Sessions (Ireland) Act, 1851," and any Act amending the same.

14 & 15 Vict. c. 93.

Not to affect Law of Marriage in Ireland.

32. Nothing in this Act contained shall affect the Law of Marriage in Ireland.

Interpretation Clause.

33. The following Words and Expressions shall, in construing this Act, be taken and understood to have the Meanings hereby assigned to them, unless there be something in the Context repugnant to such Construction; (that is to say,)

"Lord Lieutenant" shall mean and include the Lord Lieutenant or other Chief Governor or Governors of Ireland for the Time being:

"Lord Lieutenant in Council" shall mean the Lord Lieutenant by and with the Advice of Her Majesty's Privy Council in Ireland:

"Registrar General" shall mean the Registrar General of Marriages in Ireland for the Time being appointed or to be appointed under the Bill before referred to, and, in case of the Absence of the Registrar General, shall also mean and include the Assistant Registrar General for the Time being appointed or to be appointed under the said Bill:

"General Search" shall mean a Search during any Number of successive Days, not exceeding *Six*, without stating the Object of Search:

"Particular Search" shall mean a Search over any Period not exceeding *Five* Years for any given Register of Marriage.

SCHE-

SCHEDULE.

When, where, and how married.	Signatures of Parties.	Residence.		Age.	Rank or Profession, and Relationship of Parties (if related).	Condition.			Parents.			Signatures of Clergyman and Witnesses.	When and where registered, and Signature of Registrar.
		Present.	Usual.			If a Widower or Widow, whether Second or Third Marriage.	Children by each former Marriage.		Birthplace, and when and where registered.	Names.	Rank, Profession, or Occupation.		
							Living.	Dead.					

Marriages Registration (Ireland).

A

BILL

To provide for the Registration of Marriages in Ireland.

(*Prepared and brought in by Mr. Monsell, Lord Naas, and Mr. Herbert.*)

Ordered, by The House of Commons, *to be Printed*, 26 *February* 1863.

[Bill 39.]

Under 2 oz.

11 *May* 1863. 26 Vict.

A

B I L L

[AS AMENDED IN COMMITTEE]

TO

Provide for the Registration of Marriages in Ireland.

WHEREAS it is expedient that a System of Registration of such Marriages as are not within the Provisions of an Act of the Session holden in the Seventh and Eighth Years of Her present Majesty, Chapter Eighty-one, should be established and maintained in Ireland: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. This Act may be cited for all Purposes as "The Registration of Marriages (Ireland) Act, 1863." Short Title.

2. This Act shall extend to Ireland only. Act to extend to Ireland only.

3. The Registrar General shall, in sufficient Time before the Thirty-first Day of December One thousand eight hundred and sixty-three, furnish to the Guardians of every Union printed Notices, which the said Guardians shall on or before the said Thirty-first Day of December cause to be fixed or placed on the Outside of the several Church and Chapel Doors, or other public and conspicuous Buildings or Registrar General to furnish to Boards of Guardians Notices setting forth Acts required to be

done under this Act.

or Places within their respective Unions, and which said Notices shall specify the several Acts required to be done for the Purpose of registering any Marriage under Provisions of this Act.

Register Books to be provided.

4. The Registrar General shall cause to be provided a sufficient Number of Register Books and Forms as shall be necessary to the Execution of this Act; and the said Register Books shall be of durable Materials, and in them shall be printed on each Side of every Leaf the Heads of Information herein required to be known and registered of Marriages, and every Page of each of such Books shall be numbered progressively from the Beginning to the End of the Book, beginning with Number One, and every Place of Entry shall be also numbered progressively from the Beginning to the End of the Book, beginning with Number One, and every Entry shall be divided from the following Entry by a printed Line; and the Registrar General shall furnish for the Use of the Registrars a sufficient Number of Register Books of Marriages and such other Forms as may from Time to Time be required for the Purposes of this Act.

Registrars under Registration of Births, &c. Act, to be Registrars for Purposes of this Act.

5. The several Superintendent Registrars and Registrars Districts which shall from Time to Time be made under the Provisions of the Registration of Births and Deaths (Ireland) Act shall be the Superintendent Registrars and Registrars Districts for the Purposes of this Act.

Registrars under said Act to act for Purposes of this Act.

6. The several Superintendent Registrars and Registrars of the several Districts, and their respective Deputies appointed from Time to Time, and acting under the Provisions of the said last-recited Act, shall from Time to Time be the Superintendent Registrars and Registrars of their respective Districts for the Purposes of this Act, if they think fit to accept such Office, and in the event of their Refusal to act, the Guardians of the Union shall appoint a Person, with such Qualifications as the Registrar General may declare to be necessary, to be the Superintendent Registrar or Registrar under this Act.

Provision for Marriages not within Provisions of 7 & 8 Vict. c. 81.

7. In all Cases of Marriages which may be legally solemnized in Ireland, and which do not come within the Provisions of the said Act of the Seventh and Eighth Years of Her Majesty, Chapter Eighty-one, or any Act amending the same, the Parties about to contract any such Marriage shall produce to the Clergyman celebrating the Marriage a Certificate according to the Form of the Schedule hereunto annexed, which Certificate shall be procured by the Parties contracting the Marriage, previous to its Solemnization, from the Registrar of the District within which such Marriage is intended to be solemnized, who shall be bound, as far as possible, without Fee or Reward,

Reward, to fill up the said Schedule, and it shall be signed by the Parties contracting the Marriage and by the Witnesses present thereat, not being less than Two, and also by the said Clergyman; and the Parties contracting the Marriage shall within Three Days thereafter either deliver or send by Post such Certificate to the Registrar of the District wherein the Marriage was solemnized, and the Husband shall in case of Failure so to deliver or send such Certificate be liable in a Penalty not exceeding Ten Pounds, to be recovered as hereinafter provided.

Persons unable to write may sign by making Cross.

8. In case of the Inability to write of any Person whose Signature is required or necessary under this Act it shall be lawful for such Person to make such Signature by making a Cross or other Mark, which shall be made in the Presence of the Clergyman or Two Witnesses, who shall attest the same, and such Mark shall be in all respects as binding and effectual as the Signature of such Person, if capable of writing, would have been.

Particulars of Certificates to be entered in Register Books.

Correction of erroneous Entries.

9. Every Registrar, on receipt of any such Certificate, shall forthwith enter the Particulars thereof in the Register Book: Provided always, that if any Error shall be discovered to have been committed in the Entry of Marriage in any Register the Person discovering the same shall forthwith give Information thereof to the Justice or Justices presiding at the Petty Sessions of the District within which such Birth or Death shall have occurred, or if within the Dublin Metropolitan Police District to a divisional Justice or Justices within the said District; and it shall be lawful for the said Justice or Justices, and they are hereby authorized and required thereupon or upon otherwise coming to the Knowledge of such erroneous Entry, to summons before them the Person who made and any Person concerned in making such erroneous Entry or having any Knowledge regarding the same, and also any Person interested in the Effect of such erroneous Entry, and to examine all such Persons on Oath; and if the said Justice or Justices shall be satisfied that any Error has been committed in any such Entry such Justice or Justices shall, by Authority in Writing under his or their Hands, direct the Registrar to correct the erroneous Entry; and it shall be lawful for the Registrar, and he is hereby required thereupon, to correct the erroneous Entry according to the Truth of the Case by Entry in the Margin without any Alteration of the original Entry; and such marginal Entry shall contain a Reference to the Deposition upon which the said Justice or Justices directed the Correction to be made, and shall be dated on the Day on which it is made, and signed by the Parties applying for the Correction and by the Registrar; and in every Case the Registrar shall make the like Alteration in the certified

certified Copy of the Register Book, to be made by him as hereinafter provided; provided that in case such certified Copy shall have been already made, he shall make and deliver in like Manner a separate certified Copy of the original erroneous Entry and of the marginal Correction therein made.

Returns.

Certified Copies of Registers of Births and Deaths to be sent quarterly, and the Register Books, when filled, to the Superintendent Registrar.

10. In the Months of April, July, October, and January, on such Days as shall from Time to Time be appointed by the Registrar General, every Registrar shall make and deliver to the Superintendent Registrar of his District, on durable Materials, a true Copy, certified by him under his Hand, according to the Form to this Act annexed, of all the Entries of Marriages made during the Quarter of a Year last preceding the First Day of each of the several Months herein-before mentioned respectively, in the Register Books kept by him, the first of such certified Copies to be given in the Month of April in the Year One thousand eight hundred and sixty-four, and the Superintendent Registrar shall examine the same, and if found to be correct shall certify the same under his Hand to be a true Copy: If there shall have been no Marriages registered since the Delivery of the last Certificate the Registrar shall certify the Fact, and such Certificate shall be delivered to the Superintendent Registrar as aforesaid, and be countersigned by him: The Registrar shall keep safely each of the Register Books furnished to him as herein-before mentioned until it shall be filled, and shall then deliver it to the Superintendent Registrar to be kept by him with the Records of his Office.

Superintendent Registrars to send certified Copies of Registers of Marriages to Registrar General.

11. Every Superintendent Registrar shall Four Times in every Year, on such Days as shall be named for the Purpose by the Registrar General, send to the Registrar General all the certified Copies of the Registers of Marriages which he shall have received from the Registrars of Marriages as aforesaid for the Quarter of a Year last preceding the First Day of each of the several Months herein-before mentioned respectively; and the Registrar General, if it shall appear by Interruption of the regular Progression of Numbers, or otherwise, that the Copy of any Part of any Book has not been duly delivered to him, shall procure, as far as possible, consistently with the Provisions of this Act, that the same may be remedied and supplied; the certified Copies so sent to the General Register Office shall be thereafter kept in the said Office in such Order and Manner as the Registrar General, under the Direction of the Lord Lieutenant shall think fit, so that the same may be most readily seen and examined.

12. The

Abstract of Registers to be laid annually before Parliament.

12. The Registrar General shall once in every Year transmit to the Lord Lieutenant a General Abstract of the Numbers of Marriages registered during the foregoing Year in such Form and at such Date as the Lord Lieutenant shall from Time to Time prescribe; and every such annual General Abstract shall be laid before Parliament within One Month after Receipt thereof, or, if Parliament shall not be then sitting, within One Month after the Commencement of the next Session.

Indexes to be kept at General Register Office; Searches allowed and certified Copies given.

13. The Registrar General shall cause Indexes of all the Registers herein mentioned to be made and kept in the General Register Office; and every Person shall be entitled to search the said Indexes between the Hours of Ten in the Morning and Four in the Afternoon of every Day, except Sundays, Christmas Day, and Good Friday, and to have a certified Copy of any Entry in the said Registers; and for every general Search of the said Indexes the Sum of Twenty Shillings, and for every particular Search the Sum of One Shilling, and for every such certified Copy the Sum of Two Shillings and Sixpence shall be paid to the Registrar General or such other Officer as shall be appointed to receive such Fees on his Account, in addition to the Stamp Duty of One Penny imposed by an Act passed in the Twenty-third Year of Her Majesty, Chapter Fifteen.

Indexes to be made at every Superintendent Registrar's Office and Persons allowed to search them.

14. Every Superintendent Registrar shall cause Indexes of the Register Books in his Office to be made and kept with the other Records of his Office: Every Person shall be entitled on such Days and at such reasonable Hours as shall be directed by the Registrar General to search the said Indexes, and to have a certified Copy of any Entry or Entries in the said Register Books, under the Hand and Seal of the Superintendent Registrar, on Payment of the Fees herein-after mentioned; that is to say, for every general Search the Sum of Five Shillings, and for every particular Search the Sum of One Shilling, and for every certified Copy the Sum of Two Shillings and Sixpence, in addition to the Stamp Duty of One Penny imposed by an Act passed in the Twenty-third Year of Her Majesty, Chapter Fifteen.

Persons entitled to search Register Books.

15. Every Person shall be entitled on such Days and at such reasonable Hours as shall be directed by the Registrar General to search such Entries in the Register Books in the Custody of the Registrars as shall not have been included in the last preceding Return made by such Registrar to his Superintendent Registrar, and to have a certified Copy of any such Entry or Entries under the Hand and Seal of the Registrar, on Payment of the Fees herein-after mentioned; that is to say, for every such Search the Sum of

Sixpence, and for every certified Copy the Sum of Two Shillings and Sixpence, in addition to the Stamp Duty of One Penny imposed by an Act passed in the Twenty-third Year of Her Majesty, Chapter Fifteen.

Fees.

Superintendent Registrars to be paid for the certified Copies sent to General Register Office.

16. Every Superintendent Registrar shall make out an Account Four Times in every Year, on such Days and for such Periods as shall from Time to Time be appointed by the Registrar General, of the Number of Entries in such certified Copies so sent by him to the Registrar General as provided by this Act, and shall send the said Account to the Registrar General: If on Examination and Comparison with the certified Copies of the Registers or Certificates received by the Registrar General such Account shall be found correct, the Superintendent Registrar shall be entitled to receive Twopence from the Registrar General for every Entry in such certified Copies of Registers of Marriages, which shall be charged by the Registrar General to the general Expenses of his Office.

Registrars to make out an Account of Number of Marriages Four Times yearly.

17. Every Registrar shall make out an Account Four Times in each Year, on such Days and for such Periods as shall from Time to Time be appointed by the Registrar General, of the Number of Marriages which he shall have registered in pursuance of the Provisions of this Act, and the Superintendent Registrar shall verify and sign the same: The Guardians of the Union in which he shall be Registrar, on Production of the said Account so verified and signed, shall pay to the said Registrar, out of the Monies in their Hands or Power as such Guardians, at the Rate of Sixpence for every Entry of Marriage included in such Account, and the same shall be charged to the Union at large, and such Guardians shall be and they are hereby empowered to levy off the Union at large such Sums so paid by them, and such Sums shall be included in the Rates which such Guardians are by Law empowered to levy and raise.

Persons making false Statements for Entry on Register to be subject to Penalties for Perjury.

18. Every Person who shall wilfully make or cause to be made, for the Purpose of being inserted in any Register of Marriages, any false Statement touching any of the Particulars herein required to be known and registered, shall be subject to the same Pains and Penalties as if he were guilty of Perjury.

Sects. 36. and 37. of 24 & 25 Vict. c. 98. incorporated with Act.

19. The 36th and 37th Sections of an Act passed in the 24th and 25th Years of Her Majesty, intituled "An Act to consolidate and amend the Statute Law of England and Ireland relating to indictable Offences by Forgery," shall be incorporated with and form Part of this Act.

20. Every

20. Every Registrar who shall refuse or without reasonable Cause omit to fill up the Certificate of Marriage or register any Marriage of which he shall have received a Certificate, and every Person having the Custody of any Register Book or any Part thereof, who shall carelessly lose or injure the same or carelessly allow the same to be injured whilst in his keeping, shall forfeit a Sum not exceeding Ten Pounds for every such Offence. Penalty for Neglect of Registrar to register Marriage, &c.

21. Every Person who under the Provisions of this Act is required to deliver the Registers of Marriages or Copies of such Registers to any Superintendent Registrar or to the Registrar General, and who after being duly required to deliver such Register or Copies as aforesaid shall refuse or during One Calendar Month neglect so to do, shall be liable for every such Offence to forfeit a Sum not exceeding Ten Pounds. Penalty for Omission to deliver Registers to Superintendent Registrar or Registrar General.

22. Any Penalty recoverable under the Provisions of this Act, shall be recoverable in a summary Way, with respect to the Police District of Dublin Metropolis, subject and according to the Provisions of any Act regulating the Powers and Duties of Justices of the Peace for such District, or of the Police of such District, and, with respect to other Parts of Ireland, before a Justice or Justices of the Peace sitting in Petty Sessions, subject and according to the Provisions of "The Petty Sessions (Ireland) Act, 1851," and any Act amending the same. Penalties how recoverable. 14 & 15 Vict. c. 93.

23. Nothing in this Act contained shall affect the Law of Marriage in Ireland. Not to affect Law of Marriage in Ireland.

24. The following Words and Expressions shall, in construing this Act, be taken and understood to have the Meanings hereby assigned to them, unless there be something in the Context repugnant to such Construction; (that is to say,) Interpretation Clause.

"Lord Lieutenant" shall mean and include the Lord Lieutenant or other Chief Governor or Governors of Ireland for the Time being:

"Lord Lieutenant in Council" shall mean the Lord Lieutenant by and with the Advice of Her Majesty's Privy Council in Ireland:

"Registrar General" shall mean the Registrar General of Marriages in Ireland for the Time being appointed or to be appointed under the Act before referred to, and, in case of the Absence of the Registrar General, shall also mean and include the Assistant Registrar General for the Time being appointed or to be appointed under the said Act:

"General Search" shall mean a Search during any Number of successive Days, not exceeding Six, without stating the Object of Search:

"Particular Search" shall mean a Search over any Period not exceeding Five Years for any given Register of Marriage.

SCHE-

SCHEDULE.

18 .—MARRIAGES solemnized [*at the Parish Church*] in the [*Parish of St. Audeon*] in the City of [*Dublin*].

No.	When married.	Name and Surname.	Age.	Condition.	Rank or Profession.	Residence at the Time of Marriage.	Father's Name and Surname.	Rank or Profession of Father.
1	27 March 18 .	Patrick Donovan -	Of full Age.	Bachelor -	Carpenter -	3, South Street -	Peter Donovan -	Upholsterer.
		Mary O'Brien -	Minor	Spinster -	—	17, High Street -	Laurence O'Brien	Butcher.

Married in the [*Parish Church*], according to the Rites and Ceremonies of the [*United Church of England and Ireland, by Licence*], or [*after Banns*],

By me, [*Willian Jackson, Vicar*].

This Marriage was solemnized between us, { *Patrick Donovan,* / *Mary O'Brien,* } in the Presence of us, { *Dennis Donovan.* / *Laurence O'Brien.* }

[The Particulars in this Schedule to be entered according to the Fact.]

Marriages Registration (Ireland).

A

BILL

[AS AMENDED IN COMMITTEE]

To provide for the Registration of Marriages in Ireland.

(*Prepared and brought in by Mr. Monsell, Lord Naas, and Mr. Herbert.*)

Ordered, by The House of Commons, *to be Printed*, 11 *May* 1863.

[Bill 118.]

Under 2 oz.

LORDS AMENDMENTS

TO THE

MARRIAGES REGISTRATION (IRELAND) BILL.

Note.—*The Page and Line refer to the Bill* (147.) *as printed by the Lords.*

Page 1.

Line 10. After ("1863") " insert Clauses (A.) and (B.)

CLAUSE (A.) This Act shall commence and take effect from and after the First Day of January One thousand eight hundred and sixty-four. Commencement of Act.

CLAUSE (B.) The following Words and Expressions in this Act shall have the Meanings hereby assigned to them; that is to say, Interpretation of Terms.

"Lord Lieutenant" shall mean the Lord Lieutenant or other Chief Governor or Governors of Ireland:

"General Search" shall mean a Search during any Number of successive Days, not exceeding Six, without stating the Object of Search:

"Particular Search" shall mean a Search over any Period not exceeding Five Years for any given Register of Marriage.

Line 12. After ("General") insert ("of Marriages appointed "under the Provisions of the said first-recited "Act")

Page 2.

Line 3. After ("under") insert ("the")

Line 4. Leave out ("a sufficient") and insert ("such")

Line 9. After ("registered") insert ("in respect")

Line 22. After ("Act") insert Clauses (C.) and (D.)

CLAUSE (C.) The Lord Lieutenant, or the Registrar General with his Approbation, shall have Power, from Time to Time as may be deemed expedient, to alter the Boundaries of the Districts formed under the Provisions of the said recited Act passed in the Seventh and Eighth Years of Her Majesty, Chapter Eighty-one, and to form new Districts, and in the event of any new District being so formed to appoint fit Persons to be Registrars for such Districts; and every such Registrar shall hold his Office during the Pleasure of the Registrar General. Lord Lieutenant, or Registrar General with his Approbation, may alter Boundaries of Districts.

Registrar of Marriages may, subject to Approval of Registrar General, appoint a Deputy.

CLAUSE (D.) Every Registrar of Marriages, appointed under the said recited Act or this Act, shall have the Power, subject to the Approval of the Registrar General, to appoint, by Writing under his Hand, a fit Person to act as his Deputy in case of the Illness or Absence of such Registrar, and every such Deputy Registrar while so acting shall have all the Powers and Duties and be subject to all the Provisions and Penalties declared by the said recited Act and this Act concerning Registrars of Marriages, and in case of the Death of the Registrar shall act as Registrar until another be appointed, and every Registrar shall be civilly responsible for the Acts and Omissions of his Deputy.

Line 31. At the End of the Clause add ("and every such "Superintendent Registrar and Registrar shall hold "his Office during the Pleasure of the Registrar "General")

Line 37. Leave out ("of") and insert ("A. in")

Line 40. After ("District") insert ("appointed under this "Act")

Page 3.

Line 5. After ("of") insert ("Marriages appointed under this "Act for")

Line 22. Leave out ("presiding")

Line 23. Leave out ("Birth or Death") and insert ("Mar- "riage"), and leave out ("occurred") and insert ("been solemnized")

Line 28. Leave out ("Summons") and insert ("summon")

Page 4.

Line 11. After ("Form") insert ("B.") in the Schedule.

Line 23. Leave out ("each of"), and leave out ("Books") and insert ("Book")

Line 33. After ("respectively") insert ("in the Form B. in the "Schedule to this Act annexed")

Leave out Clause 24.

Page 9.

Line 1. After ("Schedule") insert ("Form A.")

Line 2. Leave out ("[at the Parish Church] in the [Parish "of St. Audeon in the City of [Dublin]") and in- sert ("at the Roman Catholic Chapel of ( ) "in the Registrar's District of ( ) in "the Union of ( ) in the County of "( )")

Line

Line 8. Leave out ("[Parish Church]") and insert ("Roman "Catholic Chapel of ( )")

Line 8. and Line 9. Leave out ("[United Church of England "and Ireland, by Licence], or [after Banns]"), and insert ("Roman Catholic Church")

Line 10. Leave out ("Vicar")

Line 12. After the Second ("O'Brien") insert Form B.

FORM B.

I ( ), Registrar of Births, Deaths, and Marriages in the District of ( ) in the Union of ( ) in the County of ( ), do hereby certify, That this is a true Copy of the Registrar's Book of Marriages within the said District from the Entry of the Marriage of ( ), No. ( ), to the Entry of the Marriage of ( ), No. ( ).

Witness my Hand, this Day of 18 .

( ) Registrar.

LORDS AMENDMENTS

TO THE

MARRIAGES REGISTRATION (IRELAND) BILL.

Ordered, by The House of Commons, *to be Printed*,
21 *July* 1863.

[Bill 255.]

Under 1 *oz.*

Metropolitan and City of London Police Amalgamation Bill.

ARRANGEMENT OF CLAUSES.

Preamble.

Preliminary.

Short Title of Act; Sect. 1.
Definition of Metropolitan Police Acts; 2.
Definition of the City of London; 3.
Commencement of Act; 4.

Repeal.

Repeal of Acts; 5.

Amalgamation of Police Forces.

Amalgamation of City Police with Metropolitan Police; 6.

Expenses of Police.

Expenses of Police; 7.

Miscellaneous.

Warrants of the City Justices; 8.
Persons rated not liable to any Watch; 9.
Construction of Act; 10.

A

B I L L

FOR

The Amalgamation of the City of London Police with the Metropolitan Police.

WHEREAS it is expedient that the City of London and the Liberties thereof should in Matters of Police be subject to the same Regulations as the rest of the Metropolis: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

Preliminary.

1. This Act may be cited for all Purposes as "The City of London and Metropolitan Police Act, 1863." Short Title of Act.

2. The Expression "Metropolitan Police Acts," as used in this Act, shall mean the Acts following; that is to say, Definition of Metropolitan Police Acts.

10 G. 4. c. 44. - - "An Act for improving the Police in "and near the Metropolis."

3 & 4 W. 4. c. 89. - "An Act to authorize the Issue of a "Sum of Money out of the Consoli- "dated Fund towards the Support of "the Metropolitan Police."

2 & 3 Vict. c. 47. - - "An Act for further improving the "Police in and near the Metropolis."

19 & 20 Vict. c. 2. - - "An Act to amend the Acts relating to "the Metropolitan Police."

20 & 21 Vict. c. 64. - "An Act for raising a Sum of Money for building and improving Stations of the Metropolitan Police, and to amend the Acts concerning the Metropolitan Police."

24 & 25 Vict. c. 51. - "An Act for granting Pensions to some Officers and Men in the Metropolitan Police Force, and for other Purposes."

24 & 25 Vict. c. 124. "The Metropolitan Police Receivers Act, 1861."

And any Act passed or to be passed amending the said Acts or any of them.

Definition of the City of London.

3. For the Purposes of this Act and of the Metropolitan Police Acts, the City of London shall be deemed to include the Liberties thereof, and all such Precincts and Places, whether extra-parochial or not, within the said City or the Liberties thereof or adjoining thereto, or surrounded by the Metropolitan Police District, as are not included within such last-mentioned District.

Commencement of Act.

4. This Act shall not take effect until the *First Day of January One thousand eight hundred and sixty-four*, and the Day on which it so takes effect is herein-after referred to as the Commencement of the Act.

Repeal.

Repeal of Acts.

5. From and after the Commencement of this Act there shall be repealed—

A Local Act passed in the Session holden in the Second and Third Years of the Reign of Her present Majesty, Chapter Ninety-four, and intituled "An Act for regulating the Police in the City of London," and which Act is herein-after referred to as "The City Police Act," except the Sections relating to the making Collection, Recovery, and Account of Rates, and being Sections numbered 58 to 85, both inclusive, and Section 91: Provided—

Firstly, That such Repeal shall not affect any Right acquired, Contract entered into, Rate made, Liability incurred, or Thing duly done before the Commencement of this Act:

Secondly,

Secondly, That such Repeal shall not affect any Penalty, Forfeiture, or other Punishment incurred in respect of any Offence committed before the Commencement of this Act:

Thirdly, That such Repeal shall not affect any Action, Information, Complaint, Warrant, Execution, Distress, or other legal Proceeding or legal Remedy for maintaining, enforcing, or recovering any such Right, Contract, Rate, Liability, Thing, Penalty, Forfeiture, or Punishment as aforesaid:

Fourthly, That such Repeal shall not revive the ancient Right or Custom of electing Ward Constables in the City of London.

Amalgamation of Police Forces.

Amalgamation of City Police with Metropolitan Police.

6. From and after the Commencement of this Act,—

1. The City of London, as herein-before defined, shall be added to and form Part of the Metropolitan Police District:

2. All Officers and Men forming Part of the Police Force established by the City Police Act, and which Force is herein-after referred to as "The City Police Force," shall form Part of the Police Force established under the Metropolitan Police Acts, which last-mentioned Force is herein-after referred to as "The Metropolitan Police Force:"

3. One or more Branch Station or Stations, for the Purpose of receiving Complaints, giving Information, and other Police Purposes, shall be maintained in the City, and shall be under the Superintendence of One of the Assistant Commissioners of Police:

4. With a view to the Discharge of the additional Duties imposed on the Metropolitan Police Force, Her Majesty may, by Warrant under Her Sign Manual, appoint a fit Person to be during Her Majesty's Pleasure, an Assistant Commissioner of Police in the Metropolis in addition to the Two existing Assistant Commissioners, and upon any Vacancy in the Office of any such Assistant Commissioner in like Manner appoint some other Person to his Office; and any Assistant Commissioner appointed under this Act shall have the same Rank, be paid the same Salary, perform the same Duties, and in all respects occupy the same Position, as if he had been appointed an Assistant Commissioner under the Act passed in the Nineteenth and Twentieth Years of the Reign of Her present Majesty, Chapter Two, intituled "An Act to amend the Acts "relating to the Metropolitan Police:"

5. Captain Charles George Hodgson, the present Chief Superintendent of the City Police, shall, if he is willing to accept the Office, be appointed Assistant Commissioner under this Act:

6. Subject to the said Appointment of an Assistant Commissioner, the Officers and Men forming the City Police Force shall, in the Metropolitan Police Force, have the same Rank and receive the same Pay as they are now receiving in the City Police Force, and be entitled to the same Superannuation Allowance as they would have received if this Act had not passed:

7. The Surgeon of the City Police Force shall, if he is willing to accept the Office, be appointed Assistant Surgeon to the Chief Surgeon of the Metropolitan Police Force, and shall continue whilst in that Office to receive the same Salary as he now receives as Surgeon to the City Police Force:

8. The Constables of the Metropolitan Police Force shall, within the City of London, have the same Powers and Advantages and be liable to the same Duties and Responsibilities as they have and are liable to within the Metropolitan Police District:

9. All the Provisions of the Metropolitan Police Acts for the Time being in force shall extend to the City of London, in the same Manner as if the said City had originally been Part of the Metropolitan Police District, with these Exceptions,—

Firstly, That any Act, Power, or Jurisdiction by the said Metropolitan Police Acts, or by any other Act of Parliament relating to Police or Police Courts, authorized to be done or exercised by a Metropolitan Police Magistrate, shall, within the City of London, be done or exercised by the Lord Mayor or an Alderman or the Recorder of the said City:

Secondly, That the Expenses of the Metropolitan Police Force, so far as relates to the City of London, shall be defrayed in manner herein-after mentioned:

10. The Chamberlain of the City of London shall transfer and pay to the Receiver for the Metropolitan Police District all Stock, Dividends, and Money standing in the Name of the said Chamberlain or held on Trust for or receivable by him on account of the City Police Superannuation Fund, and the said Stock, Dividends, and Monies shall be added to and form Part of the Police Superannuation Fund, as defined by the Metropolitan Police Acts, and the said last-mentioned Police Superannuation Fund shall be liable to the Claims of all Persons who would, if this Act had not passed, have had a Claim on the City Police Superannuation Fund; and for the Purposes of Superannuation and

and other Allowances, Service in the City Police shall be deemed to be equivalent to Service in the Metropolitan Police:

11. All such other Property, both Real and Personal, including Things in Action, as belong to or is held on trust for the Purposes of the City Police Force, shall vest in, or, if necessary, be transferred by the Persons holding the same to, the Receiver for the Metropolitan Police, to be applied by him for the Purposes of the Metropolitan Police Acts, but without prejudice to any Debts or Obligations payable out of or charged on such Property which Debts or Obligations may be enforced against the Property, in the same Manner as if this Act had not passed.

Expenses of Police.

Expenses of Police.

7. From and after the Commencement of this Act, the Contribution payable by the Mayor and Commonalty and Citizens of the City of London towards the Expenses of the City Police Force shall cease; and the Increase of Expense in maintaining the Metropolitan Police Force caused by this Act shall be defrayed partly out of Monies to be provided by Parliament, and partly out of the Police Rate leviable under the said City Police Act, the Monies payable by Parliament to bear the same Proportion to the Monies payable out of the Police Rates as the Monies hitherto contributed by the said Mayor and Commonalty and Citizens have borne to the Monies payable out of the said Rate.

For the Purpose of obtaining Payment of the Monies payable out of the Police Rate, the Commissioner of the Metropolitan Police may, from Time to Time, with the Approbation of One of Her Majesty's Principal Secretaries of State, issue a Warrant under his Hand, requiring the Chamberlain of the City of London to pay, out of any Cash in his Hands belonging to the said City, the Sum named in such Warrant; and the said Chamberlain shall pay such Sum accordingly, so that the Amount required to be contributed by the Chamberlain in any One Year does not exceed the Amount of the Police Rate authorized to be levied in pursuance of the said Local Act, and the Chamberlain shall be reimbursed any Monies so paid by him by a Police Rate levied in manner provided by the City Police Act.

Miscellaneous.

Warrants of the City Justices.

8. Every Warrant issued by a Justice of the City of London shall be a sufficient Authority to all the Persons to whom the same is directed to execute such Warrant in any Liberty, Town, or Place within the Counties of Middlesex, Surrey, Hertford, Essex, and Kent, in like Manner to all Intents and Purposes as if the same had been

been endorsed by a Justice or Justices of the Peace in and for the County, Riding, Division, City, Liberty, Town, or Place where the same is executed; and every Warrant issued by any Justice of the Peace of any of the said Counties of Middlesex, Surrey, Hertford, Essex, and Kent shall be a sufficient Authority to all the Persons to whom such Warrant is directed to execute the same in any Liberty or Place within the City of London, in like Manner, to all Intents and Purposes, as if the same had been endorsed by a Justice of the said City.

Persons rated not liable to any Watch.

9. No Person rated and assessed to pay to the said Consolidated Rate shall be liable to any Watch or Ward by virtue of the Statute commonly called the Statute of Winchester, made in the Thirteenth Year of King Edward the First, or any subsequent Statutes relating thereto.

Construction of Act.

10. This Act shall be construed as one with the Metropolitan Police Acts herein-before mentioned.

Metropolitan and City of London Police Amalgamation.

A

B I L L

For the Amalgamation of the City of London Police with the Metropolitan Police.

(Prepared and brought in by Sir George Grey and Mr. Bruce.)

Ordered, by The House of Commons, *to be Printed, 22 April* 1863.

[Bill 89.] *Under* 1 *oz*

A

B I L L

TO

Extend the Powers of the Act relating to the Main Drainage of the Metropolis.

WHEREAS by an Act of the Session of the Twenty-first and Twenty-second Years of the Reign of Her present Majesty, Chapter One hundred and four, intituled "An "Act to alter and amend the Metropolis Local Management Act, "1855, and to extend the Powers of the Metropolitan Board of "Works for the Purification of the Thames and the Main Drainage of "the Metropolis" (which Act is herein-after referred to as the "Main "Drainage Act, 1858"), the Metropolitan Board of Works are required to complete with all convenient Speed the necessary Works for the Main Drainage of the Metropolis: And whereas the said Board are empowered to borrow for the Purposes of the said Act in manner therein mentioned any Sum of Money not exceeding in the whole Three Millions, and the Commissioners of Her Majesty's Treasury are authorized to guarantee in manner in the said Act mentioned the Payment of the Principal and Interest on the Monies so borrowed: And whereas the said Board have proceeded to a very considerable Extent in the Execution of the Works required by the said Main Drainage Act, but by reason of the Increase in the Price of Materials and Labour since the Date of the said Act, and of the Necessity having arisen for additional Works, a further Sum of One million two

Preamble.

21 & 22 Vict. c. 104., Metropolitan Main Drainage Act.

hundred thousand Pounds will be required for the Completion of the whole of such Works: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Short Title of Act.

1. This Act may be cited for all Purposes as "The Metropolitan Main Drainage Extension Act, 1863."

Power for Board to borrow 1,200,000*l.*

2. The Metropolitan Board of Works may borrow, with the Consent and in manner provided by the Main Drainage Act, 1858, any Sum of Money not exceeding in the whole *One million two hundred thousand Pounds*, in addition to the Sums by that Act authorized to be borrowed.

Power for Treasury to guarantee Money borrowed.

3. The Commissioners of Her Majesty's Treasury may guarantee the Payment of the Principal and Interest of any Money borrowed under this Act, in manner and subject to the Conditions in and subject to which they are authorized to guarantee the Payment of the Principal and Interest of any Monies borrowed under the Main Drainage Act, 1858.

Construction of this Act and the Main Drainage Act, 1858.

4. This Act shall be construed as one with the Main Drainage Act, 1858, and all the Provisions of that Act with respect to the borrowing of Money and the Securities for the same, and with respect to the Guarantee to be given by the Commissioners of the Treasury, and the Indemnity of the Commissioners against Loss on this Guarantee, and with respect to the levying Rates, and generally with respect to any Matter incidental to or consequential on the borrowing of Money therein mentioned, shall apply to the Monies authorized to be borrowed under this Act in the same Manner as if the Monies were borrowed under the said Main Drainage Act, 1858.

Application of Monies borrowed under this Act.

5. All Monies borrowed under this Act shall be applied to the same Purposes as Monies borrowed under the said Main Drainage Act, 1858.

Extension of Time for Completion of Works.

6. The Time for the Completion of the Works authorized to be executed by the Board for the Main Drainage of the Metropolis shall be extended to the *Thirty-first Day of December One thousand eight hundred and sixty-six.*

Metropolis Turnpike Roads Acts Amendment Bill.

ARRANGEMENT OF CLAUSES.

	Sections.
Preamble.	
Short Titles to Acts	1
After 1st July 1864, Roads in Parishes specified in First Schedule to cease to be maintained by Commissioners	2
And shall be maintained by the Parishes in which they lie	3
Apportionment between Two Parishes of Portions of Parish Highways in both Parishes, as in Second Schedule	4
Inhabitants of Houses, &c. near to Parish Highways not to be assessed under the Act of 1826	5
Toll Houses, &c. to be removed, with Option to Parishes to purchase Pumps, &c.	6
Apportionment of the Income from Lyon's Estates	7
Apportionment of the Income from Harvist's Estate	8
The other Roads now under Care of Commissioners to continue so subject, and to be divided into Districts as in the Third Schedule	9
Map of Districts to be deposited with Clerks of the Peace	10
Power to put up Toll Gates, &c.	11
Tolls under Act of 1829 to cease	12
Tolls specified in Fourth Schedule	13
Repeal of Sections of Acts of 1826 and 1829 specified in Fifth Schedule	14
Provision as to Lea Bridge	15
Increase of Tolls on Thirteenth District when Repairs of Lea Bridge exceed 1,000*l.*	16
Tolls on Steam Carriages	17
Horses or Cattle going to depasture on Walthamstow Marsh exempt from Toll in Thirteenth District	18
Tolls to be paid only once a Day in the same District	19
Horses, &c. drawing different Carriages to pay each Time of passing	20
Postchaises to pay each Time of passing with a fresh Hiring	21
Stage Coaches to pay each Time of passing	22
Hackney Coaches to pay each Time of passing with a fresh Hiring	23
Carts	

Sections

Carts laden with Bricks, &c. to pay each Time of passing - 24
Additional Tolls in respect of narrow Wheels - - - 25
Power to direct that Payment of Toll in One District shall exempt from Payment in another - - - - - 26
Special Ticket for denoting special Exemption - - - 27
Penalty on Collector, &c. for giving false special Tickets - 28
Compensation for Officers of Commissioners for Loss of Salary, &c. - - - - - - - - - - 29
Provisions of Act of 1826 applicable to Tolls under this Act - 30
Exercise of Powers to remove Nuisances given by Acts of 1826 and 1829 - - - - - - - - - 31
Offences under Section 157 of Act of 1826 to be Misdemeanor instead of Felony - - - - - - - 32
Provisions of Acts of Acts of 1826 and 1829 to continue applicable to Roads maintained by Commissioners - - 33
Commissioners not bound to light Roads, and not to watch Roads - - - - - - - - - - - 34
Times for making up yearly Accounts and holding yearly Meetings of Commissioners - - - - - - - 35

SCHEDULES.

A

BILL

TO

Amend the Acts relating to the Turnpike Roads in the Neighbourhood of the Metropolis North of the River Thames.

WHEREAS by the Act of the Seventh Year of George the Fourth, Chapter One hundred and forty-two, intituled "An Act for consolidating the Trusts of the several "Turnpike Roads in the Neighbourhood of the Metropolis North "of the River Thames" (in this Act called "the Act of 1826"), the several Roads in the Neighbourhood of the Metropolis North of the River Thames which are specified in the First Schedule to the reciting Act annexed were placed under the Care and Superintendence of the Commissioners of the Metropolis Turnpike Roads North of the Thames (in this Act called "the Commissioners"), who were thereby appointed Commissioners for making, amending, widening, improving, repairing and keeping in repair, cleansing, lighting, watching, and watering those Roads: And whereas under the Act of the Tenth Year of George the Fourth, Chapter Fifty-nine, intituled "An "Act to amend an Act of the Seventh Year of His present Majesty, "for consolidating the Trusts of the several Turnpike Roads in the "Neighbourhood of the Metropolis North of the River Thames; and "to make and maintain Two new or Branch Roads to communicate Preamble.

" with the said Metropolis Roads" (in this Act called "the Act of 1829"), the Parts specified in Section 7 of the reciting Act of the Roads specified in the First Schedule to the Act of 1826 annexed, ceased to be maintainable by the Commissioners, and became Common Highways maintainable by the Parishes in which the same are respectively situate: And whereas by the Act of 1829 Provision was made (Section 15) for the Appropriation between the Vestry of the Parish of Paddington and the Vestrymen of the Parish of Saint Marylebone and the Commissioners of the Rents and Profits of Lyon's Estates, which (as was recited in the Act of 1826, Section 29,) were applicable for repairing and amending the Highway from the Town of Harrow-upon-the-Hill into the City of London, and the Common Highway from the Town of Edgeware in the County of Middlesex and the City of London respectively; and Provision was made (Section 16) for the Appropriation between the Vestry of the Parish of Paddington and the Vestrymen of the Parish of Saint Marylebone and the Commissioners of the Rents and Profits of Harvist's Estate, which (as was recited in that Section) were applicable for the repairing and amending of the Highway between Tyburn and Edgeware in the County of Middlesex: And whereas by the Act of the Session of the Eighth and Ninth Years of Her present Majesty, Chapter One hundred and forty-three, intituled "An Act for better paving, light-" ing, cleansing, regulating, and improving the Parish of Saint Luke " Chelsea (exclusive of the District of Hans Town) in the County " of Middlesex," further Provision was made with respect to Parts of the Roads specified in the First Schedule to the Act of 1826 annexed: And whereas by "The New North Road Act, 1849," Provision was made for the Management by the Commissioners of the New North Road from Highbury Place, Islington, to Haberdashers Walk, Shoreditch, but the Term of that Act has ceased: And whereas by "The Marylebone and Finchley Turnpike Roads Extension Act, 1850," the Management of the Marylebone and Finchley Turnpike Roads was transferred to the Commissioners, but those Roads are maintained by the Parishes in which they lie: And whereas by "The Metropolis Roads (Harvist's Estate) Act, 1855," (in this Act called "the Act of 1855,") Harvist's Estate was vested in the Commissioners, and Provision was made for the Appropriation, in accordance with the Act of 1829, of the Rents and Profits of Harvist's Estate, and of the Dividends of the Trust Stock referred to in the reciting Act, or the Rents and Profits of the Lands purchased with the Proceeds of the Trust Stock: And whereas it is expedient that the several Roads now maintained by the Commissioners situate in the several Parishes specified in the First Column of the First Schedule to this Act annexed (being Parts of the Roads now maintainable by the Commissioners) should, with the Exception of

of the Portions of Roads specified in the Second Column of that Schedule, cease to be maintainable by the Commissioners, and should be Common Highways and maintainable accordingly, and that some of the Provisions of the Acts of 1826 and 1829 respectively should be amended: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Short Titles to Acts.

1. The Acts of 1826 and 1829 and this Act respectively may for all Purposes be cited as follows; (that is to say,)

The Act of 1826 (of the Seventh Year of George the Fourth, Chapter 142), as "Metropolis Roads Act, 1826":

The Act of 1829 (of the Tenth Year of George the Fourth, Chapter 59), as "Metropolis Roads Act, 1829":

This Act as "Metropolis Roads Act, 1863."

After 1st July 1864 Roads in Parishes specified in First Schedule to cease to be maintained by Commissioners.

2. On and after the *First Day of July One thousand eight hundred and sixty-four* such of the Roads now maintainable by the Commissioners as are situate in the several Parishes which are specified in the First Column of the First Schedule to this Act annexed (except only such Portions of those Roads as are specified in the Second Column of that Schedule), shall cease to be maintained, repaired, lighted, watched, or watered by the Commissioners, and to be subject to the Superintendence and Management of the Commissioners, and to be Turnpike Roads, and shall be Common Highways; and the Roads so made Common Highways are in this Act referred to as "the Parish Highways."

and shall be maintained by the Parishes in which they lie.

3. On and after the *First Day of July One thousand eight hundred and sixty-four* so much of the Parish Highways as lies within any Parish specified in the First Column of the First Schedule to this Act annexed shall be maintained, repaired, watched, lighted, and watered as Part of the Common Highways within that Parish, and all Quit-rents and other Outgoings payable in respect thereof shall be paid accordingly as Part of the Expenses of maintaining the same.

Apportionment between Two Parishes of Portions of Parish Highways in both Parishes, as in Second Schedule.

4. Whereas the several Portions which are specified in the First Column of the Second Schedule to this Act annexed of the Parish Highways are partly in each of Two Parishes, as is in that Schedule expressed, the Boundary Line between the Two Parishes running in most Cases along or nearly along the Centre of the Portion of Parish Highway, and it is expedient that special Provision be made in that Behalf: Therefore the several Portions of the Parish Highways which are specified in the Second Schedule to this Act annexed shall, for

the Purposes of the maintaining, repairing, lighting, watching, and watering of the same, be deemed to be situate in the several Parishes in that Behalf specified in that Schedule, and not in any other Parish: Provided, that this Enactment shall not alter or affect the Boundaries of any of those Parishes, or any Jurisdiction as to the Houses, Buildings, Tenements, or Hereditaments abutting on those Portions of the Parish Highways, or the Parochial or other Rates or Assessments thereon.

Inhabitants of Houses, near to Parish Highways not to be assessed under the Act of 1826.

5. After the *First Day of July One thousand eight hundred and sixty-four* inclusive no Rate or Assessment shall be made under Section 101 of the Act of 1826, on any Person, by reason only of his inhabiting, holding, using, possessing, occupying, or enjoying any House, Shop, Warehouse, Coach House, Stable, or other Building, Yard, Garden, or Ground near to any of the Parish Highways, but in all other respects the Powers of rating given by the Act of 1826, and all Provisions relating thereto, which if this Act were not passed would be in force, shall respectively continue in full Force.

Toll Houses, &c. to be removed, with Option to Parishes to purchase Pumps, &c.

6. In the Month of *July One thousand eight hundred and sixty-four* the Commissioners shall remove all Toll Houses, Turnpike Gates, Side Gates, Bars, Pumps, Stand Posts, Water Meters, Troughs, and other Conveniences then belonging to the Commissioners, and being on or by the Side of the Parish Highways, and shall sell and dispose of the same, or the Materials thereof, and shall apply the net Monies arising from the Sale to the general Purposes of the Commissioners under the Acts of 1826 and 1829 and this Act respectively: Provided, that if before the *First Day of July One thousand eight hundred and sixty-four* the Vestry or District Board within whose Parish or any of whose Parishes any such Pump, Stand Post, Water Meter, Trough, or other Convenience is then situate, shall, by Notice in Writing to the Commissioners, elect to purchase the same, or any of them, they may do so at a Price agreed on between the Vestry or District Board and the Commissioners, or which, if not so agreed on, shall be ascertained by the Valuation of Two Valuers (One to be named by the Vestry or District Board, and the other by the Commissioners), or their Umpire.

Apportionment of the Income from Lyon's Estates.

7. From and after the *First Day of July One thousand eight hundred and sixty-four* inclusive the clear yearly Income of the Commissioners from Lyon's Estates shall be apportioned and applied as follows; that is to say,

First.—As to the clear yearly Income of the Commissioners from those Parts of Lyon's Estates which were conveyed by an Indenture

Indenture of the Sixth Day of July in the Twenty-first Year of Elizabeth:

Four Thirty-ninth Parts thereof shall be paid by the Commissioners to the Vestry of the Parish of Paddington, and be applied by them in or towards defraying their Expenses of the maintaining, repairing, lighting, and watering of that Portion of the Kilburn Road which will be maintainable by that Parish:

Nine Thirty-ninth Parts thereof shall be paid by the Commissioners to the Vestry of the Parish of Saint Marylebone, and be applied by them in or towards defraying their Expenses of the maintaining, repairing, lighting, and watering of that Portion of the Kilburn Road which will be maintainable by that Parish:

The remaining Twenty-six Thirty-ninth Parts thereof shall be retained by the Commissioners, and be applied by them in or towards defraying their Expenses of the maintaining, repairing, lighting, and watering of the Remainder of the Kilburn Road to Edgeware:

Secondly.—As to the clear yearly Income of the Commissioners from those Parts of Lyon's Estates which were conveyed by an Indenture dated the Nineteenth Day of December in the Twenty-fifth Year of Elizabeth:

Four Twentieth Parts thereof shall be paid by the Commissioners to the Vestry of the Parish of Paddington, and be applied by them in or towards defraying their Expenses of the maintaining, repairing, lighting, and watering of that Portion of the Harrow Road which will be maintainable by that Parish:

Three Twentieth Parts thereof shall be paid by the Commissioners to the Vestry of the Parish of Saint Marylebone, and be applied by them in or towards defraying their Expenses of the maintaining, repairing, lighting, and watering of that Portion of the Harrow Road which will be maintainable by that Parish:

One Twentieth Part thereof shall be paid by the Commissioners to the Vestry of the Parish of Saint Luke Chelsea, and be applied by them in or towards defraying their Expenses of the maintaining, repairing, lighting, and watering of that Portion of the Harrow Road which will be maintainable by that Parish:

And the remaining Twelve Twentieth Parts thereof shall be retained by the Commissioners, and be applied by them in or towards defraying their Expenses of the maintaining, repairing, lighting, and watering of the Remainder of the Harrow Road to Harrow-on-the-Hill.

Apportionment of the Income from Harvist's Estate.

8. From and after the *First Day of July One thousand eight hundred and sixty-four* inclusive the clear yearly Income of the Commissioners

Commissioners from Harvist's Estate shall be apportioned and applied as follows; that is to say,

One Eighth Part thereof shall be paid by the Commissioners to the Vestry of the Parish of Paddington, and be applied by them in or towards defraying their Expenses of the maintaining, repairing, lighting, and watering of that Portion of the Kilburn Road which will be maintainable by that Parish:

One Eighth Part thereof shall be paid by the Commissioners to the Vestry of the Parish of Saint Marylebone, and be applied by them in or towards defraying their Expenses of the maintaining, repairing, lighting, and watering of that Portion of the Kilburn Road which will be maintainable by that Parish:

And the remaining Six Eighth Parts thereof shall be retained by the Commissioners, and be applied by them in or towards defraying their Expenses of the maintaining, repairing, lighting, and watering of the Remainder of the Kilburn Road to Edgeware.

The other Roads now under Care of Commissioners to continue so subject, and to be divided into Districts, as in the Third Schedule.

9. Provided that, except only as is by this Act otherwise expressly provided, the several excepted Portions of Roads which are specified in the Second Column of the First Schedule to this Act annexed, and all such other Parts of the Roads now maintainable by the Commissioners as are not Part of the Parish Highways, shall continue to be subject to the Superintendence and Management of the Commissioners under the Powers and Provisions of the Acts of 1826 and 1829, and of this Act; and on and after the *First Day of July One thousand eight hundred and sixty-four* those several Roads shall, for the Purposes of collecting Tolls thereon, be divided into the *Thirteen* Districts specified in the Third Schedule to this Act annexed.

Map of Districts to be deposited with Clerks of Peace.

10. Within *Nine* Months after the passing of this Act the Commissioners shall deposit with the respective Clerk of the Peace for each of the Counties of Middlesex, Essex, and Hertford a Map signed by the General Surveyor of the Commissioners, showing the Thirteen Districts of Roads specified in the Third Schedule to this Act annexed, and distinguishing the Districts by the Colours specified in that Schedule; and the Clerks of the Peace shall keep the same, and allow Inspection thereof, and make Copies and Extracts of the same, in like Manner, on like Terms, and under like Penalty for Default as is provided with respect to Documents therein referred to by the Act of the First Year of Her present Majesty, Chapter Eighty-three.

Power to put up Toll Gates, &c.

11. On or after the *First Day of July One thousand eight hundred and sixty-four* the Commissioners, when and as they from Time to Time think fit, may erect, provide, and maintain any Toll Houses, Turnpike

Turnpike Gates, Side Gates or Bars across or by the Sides of any of the Roads which are specified in the Third Schedule to this Act annexed, and across any Streets, Roads, or Lanes from Time to Time leading into any of those Roads; provided that no Side Gate or Bar across any Street, Road, or Lane leading into any of those Roads shall be more than *Twenty* Yards, distant from the Side of the respective Road.

Tolls under Act of 1829 to cease.

12. On and after the *First Day of July One thousand eight hundred and sixty-four* the several Tolls by the Act of 1829 (Section 19) authorized to be taken shall cease to be payable.

Tolls specified in Fourth Schedule.

13. On and after the *First Day of July One thousand eight hundred and sixty-four* the Commissioners or their Lessees or Collectors from Time to Time may demand, receive, and take, at every Turnpike Gate, Side Gate and Bar already or hereafter erected on or by the Side of the several Roads specified in the Third Schedule to this Act annexed, or across any Street, Road, or Lane leading into any of those Roads, any Tolls not exceeding the several Tolls specified in the Fourth Schedule to this Act annexed.

Repeal of Sections of Acts of 1826 and 1829 specified in Fifth Schedule.

14. On the *First Day of July One thousand eight hundred and sixty-four* the several Sections of the Acts of 1826 and 1829 respectively, which are specified in the Fifth Schedule to this Act annexed shall be by this Act repealed: Provided, that the Repeal of those Sections, or any of them, shall not have any retroactive Operation.

Provision as to Lea Bridge.

15. The Exemptions and Provisions with respect to Tolls contained in the General Turnpike Acts shall (except as the same are altered, varied, or repealed by the Acts of 1826 and 1829 and this Act respectively) extend to any Gate already or hereafter erected on Lea Bridge; and (except as is by the Acts of 1826 and 1829 and this Act respectively otherwise expressly provided) Lea Bridge shall, for all Purposes of the General Turnpike Acts and the Acts of 1826 and 1829 and this Act respectively, be considered as Part of the Road comprised in the Thirteenth District specified in the Third Schedule to this Act annexed.

Increase of Tolls in 13th District, when Repairs of Lea Bridge exceed 1,000*l.*

16. Provided, That if and whenever any Repairs of Lea Bridge costing more than *One thousand Pounds* are necessary, the Commissioners may increase the Tolls on the Roads comprised in the Thirteenth District to *One Half* more in Amount than the Tolls in that Behalf specified in the Fourth Schedule, and continue the Increase until the Cost of the Repairs be repaid to the Commissioners by means of the increased Tolls.

Tolls on Steam Carriages.

17. The same Toll shall be paid in every District for any Coach, Waggon, or other Carriage which shall pass along any of the Roads in the respective District being in any Manner propelled or drawn by Steam, Gas, or any other like Means as would be payable for Four Horses drawing the same if the same were drawn by Four Horses, and the Toll shall be paid for every such Coach, Waggon, or other Carriage in every District for every Time of passing along any of the Roads in the respective District.

Horses or Cattle going to depasture on Walthamstow Marsh exempt from Toll in Thirteenth District.

18. Provided, That no Toll shall be demanded or taken on the Road comprised in the Thirteenth District for any Horse or other Cattle whatsoever going to Walthamstow Marsh or Low Layton Marsh only for the Purpose of depasturing there or returning from the same.

Tolls to be paid only once a Day in the same District.

19. Provided, That when the Toll by this Act authorized to be taken is once paid at any Gate or Bar in any District for any Animal, then (except only as is by this Act otherwise expressly provided) no further Toll shall be demanded or taken during the same Day for the same Animal at any other Gate or Bar within the same District, or on returning or repassing through the same Gate or Bar; but (except as is by this Act otherwise provided) the Payment of Toll in any One District shall not entitle the Party paying the same to any Exemption from Toll during the same Day in any other District.

Horses, &c. drawing different Carriages to pay each Time of passing.

20. Provided, That no Horse, Ass, or other Beast drawing any Waggon, Cart, or other such Carriage shall be exempt from Toll in any of the Districts by reason of any previous Payment of Toll within the same District during the same Day, unless the Beast at the Time of the previous Payment drew the same Carriage as that which he draws when the Exemption is claimed.

Postchaises to pay each Time of passing with a fresh Hiring.

21. Provided, That no Horse or other Beast drawing any Postchaise or other Carriage returning with any Person therein, and passing through any of the Gates or Bars of any of the Districts, shall be exempt from Toll unless a Ticket be produced denoting that the Toll was already paid on that Day by the Person then in or hiring the Postchaise or other Carriage.

Stage Coaches to pay each Time of passing.

22. Provided, that the Tolls shall be paid in every District for every Horse or Beast drawing any Stage Coach, Omnibus, Van, Caravan, Waggon, or other like Carriage conveying Passengers or Goods for Pay, Hire, or Reward, for every Time of passing along any of the Roads in that District.

23. Pro-

Hackney Coaches to pay each Time of passing with a fresh Hiring.

23. Provided, That the Tolls shall be paid in every District for every Horse or Beast drawing any Hackney Coach, Chariot, or Cabriolet for every Time of passing through any Gate or Bar of that District, unless the Person by whom the same is then hired already during the same Day paid Toll for the same within that District, and produces a Ticket denoting the Payment, or unless such Hackney Coach, Chariot, or Cabriolet shall be returning empty after having set down a Person who during that Day paid Toll for the same.

Carts laden with Bricks, &c. to pay each Time of passing.

24. Provided no Horse, Ass, or other Beast drawing any Waggon, Cart, or other Carriage laden with Bricks, Tiles, Stones, Lime, Timber, Coals, Iron in Bars, or Lead in Sheets shall be exempt from Toll in any District by reason of any previous Payment of Toll within the same District, except where the Beast at the Time of the previous Payment of Toll was going with the same Carriage, empty or laden with Breeze or Ashes for making Bricks, to fetch the Load which he draws when the Exemption is claimed.

Additional Tolls in respect of narrow Wheels.

25. On all the Roads within every District *One Half* more than the Tolls specified in the Fourth Schedule to this Act annexed as payable in that District for any Horse, Ass, or other Beast drawing, shall be demanded and taken for any or every Horse, Ass, or other Beast drawing any Waggon, Wain, Cart, or other such Carriage having the Fellies of the Wheels thereof of less Breadth than *Four and a Half* Inches at the Bottom or Soles thereof; and *One Fourth* more than the Toll so specified shall be demanded and taken for any or every Horse, Ass, or other Beast drawing any such Carriage having the Bottom or Soles of the Fellies of the Wheels of the Breadth of *Four and a Half* Inches but less than *Six* Inches; and *One Half* more than the Toll so specified shall be demanded and taken for any or every Horse, Ass, or other Beast drawing any such Carriage having the Bottom or Soles of the Fellies of the Wheels of the Breadth of *Six* Inches or more, and having any Tire or Tires of the Wheels deviating more than *One Half* of an Inch from a flat Surface, or not having the Nails of the Tire or Tires so countersunk as not to project beyond *One Quarter* of an Inch above any Part of the Surface thereof, anything in any other Act to the contrary notwithstanding: Provided, that nothing in this Section shall make any additional Toll payable where any Cart is not drawn by more than *One* Horse or *Two* Oxen.

Power to direct that Payment of Toll in One District shall exempt from

26. In addition to the Powers by the Act of 1826 given to the Commissioners for reducing, advancing, and altering Tolls the Commissioners may from Time to Time direct that Payment of any Toll specially appointed by them for the Purpose, and being of greater

Payment in another.

Amount than the Tolls specified in the Fourth Schedule to this Act annexed, or not, as they deem proper, shall exempt the Person paying it from any further Payment of Toll during the same Day in respect of the Animal in respect of which it was paid, not only within the District in which it was paid, but also in all or any of the other Districts.

Special Ticket for denoting special Exemption.

27. When the Commissioners make any such Direction they shall appoint a special Ticket denoting the special Exemption to be issued, and every Person passing through any Gate or Bar in the District to which the Direction relates shall, at his Option, be entitled either to the ordinary Ticket for exempting from further Toll within the same District only, in which Case only the ordinary Toll shall be demanded or taken, or to the special Ticket denoting the special Exemption, in which Case the Toll appointed for the Purpose, and no less Toll, shall be demanded and taken.

Penalty on Collector, &c. for giving false special Ticket.

28. If any Collector or Gate Keeper issue a Ticket denoting the special Exemption or Payment of any less Toll than the Toll appointed for that Purpose, every Person so offending shall for every such Offence forfeit not exceeding *Twenty* Pounds, to be recovered, levied, and applied as directed by the General Turnpike Act of the Third Year of George the Fourth with respect to the Penalties thereby imposed.

Compensation for Officers of Commissioners for Loss of Salary, &c.

29. The Commissioners may allow Compensation or Superannuation Allowance to any Person in their Employ whose Salary or Emoluments shall, by reason of the passing of this Act, be abolished or made less than they were before the *First* Day of *July One thousand eight hundred and sixty-four*, or who, being continued after that Day in the Employ of the Commissioners, afterwards retires from their Service, so that no such Compensation or Superannuation Allowance shall exceed the Proportion of Salary or Emoluments which might be granted under similar Circumstances to a Person in the Public Civil Service, and so that no such Compensation or Superannuation Allowance shall be granted except in the Cases and upon the Conditions in and upon which, if the Person had been employed in the Public Civil Service, the same would or might be granted, and any Compensation or Superannuation Allowance so allowed shall be paid out of any Balance from Time to Time in the Commissioners Hands, or out of the Tolls collected under or by virtue of this Act.

Provisions of Act of 1826 applicable to Tolls under this Act.

30. The several Provisions, Restrictions, and Exemptions contained in the Act of 1826 with respect to the Tolls by that Act authorized to be taken, and the Collection, letting, Advancement, Reduction, and Alteration thereof, and with respect to the Application of the

Monies

Monies arising therefrom, shall, so far as they are now in force, and except so far as they are altered by this Act, extend and apply to the Tolls by this Act authorized, and the Monies to arise therefrom, in the same Manner and as fully as if they had been specially re-enacted with reference to those Tolls and Monies.

Exercise of Powers to remove Nuisances given by Acts of 1826 and 1829.

31. All the Powers and Means of removing Nuisances and preventing Encroachments and Annoyances which by the Acts of 1826 and 1829 respectively were given to and vested in the Commissioners shall, so far as the same relate to the Parish Highways, be vested in and exercised by the several Vestries or District Boards by which respectively the Parish Highways are from Time to Time maintainable, and that in as full, ample, and beneficial a Manner to all Intents and Purposes and subject to the like Conditions and Restrictions as the same would be vested in and exerciseable by the Commissioners if this Act were not passed; provided that, so far as those Powers and Means relate to the Roads from Time to Time maintainable by the Commissioners, the same shall continue to be vested in and exerciseable by them.

Offences under Section 157 of Act of 1826 to be Misdemeanor instead of Felony.

32. The Offences which by Section 157 of the Act of 1826 are declared to be Felony shall not be Felony, but shall be *Misdemeanor*, and shall be punishable accordingly.

Provisions of Acts of 1826 and 1829 to continue applicable to Roads maintained by Commissioners.

33. Except only so far as is by this Act otherwise expressly provided, the several Powers and Provisions of the Acts of 1826 and 1829 respectively relating to the Roads now maintainable by the Commissioners, and which immediately before the *First* Day of *July One thousand eight hundred and sixty-four* shall be in force, and which shall not be on that Day by this Act repealed, shall (subject to the Provisions of this Act) continue in force with respect to so much of the Roads now maintainable by the Commissioners as shall after that Day continue to be maintainable by them.

Commissioners not bound to light Roads, and not to watch Roads.

34. It shall not be obligatory on the Commissioners to light any Part of the Roads which after the *First* Day of *July One thousand eight hundred and sixty-four* will be maintainable by them, and they shall not watch any Part of those Roads.

Times for making up yearly Accounts and holding yearly Meetings of Commissioners.

35. Inasmuch as the Practice of the Commissioners has been to make up their yearly Accounts to Lady Day, and to hold their yearly Meeting in April, therefore the Practice heretofore in that respect shall be deemed to have been correct, and they may continue to make up their yearly Accounts to Lady Day, and to hold their yearly Meeting in April.

The FIRST SCHEDULE to which the aforegoing Act refers.

ROADS TRANSFERRED TO PARISHES.

Turnpike Roads which are to cease to be maintainable by the Commissioners, and are to be Parish Highways maintainable by the Parishes in which they are situate.	Portions of Turnpike Roads still to be maintained by the Commissioners.
The Turnpike Roads in the following Parishes, which are now maintained by the Commissioners:	
St. Margaret Westminster.	
St. Luke Chelsea.	
St. Mary Abbott Kensington St. Peter and St. Paul Hammersmith	Except that Part of the Harrow Road which lies partly in the Parish of St. Mary Abbott Kensington and St. Peter and St. Paul Hammersmith on the South Side, and partly in the Parish of Willesden on the North Side, and which excepted Portion of Road forms Part of the Seventh District of Roads specified in the Third Schedule to the aforegoing Act annexed.
Fulham.	
St. George Hanover Square.	
Paddington.	
St. Marylebone.	
St. John Hampstead	Except that Part of the Kilburn Road which lies partly in the Parish of St. John Hampstead, and partly in the Parish of Willesden, and which excepted Portion of Road forms Part of the Eighth District of Roads specified in the Third Schedule to the aforegoing Act annexed.
St. James and St. John Clerkenwell.	
St. Pancras.	
St. Mary Islington.	
St. Luke Old Street.	
St. Leonard Shoreditch.	
St. Matthew Bethnal Green.	
Hackney.	
St. Mary Stoke Newington and Hornsey	Except so much of the Green Lanes Road which lies partly in the Parish of St. Mary Stoke Newington, and partly in the parish of Hornsey, as is situate Northward of the Metropolitan High Level Main Drainage Sewer, and so much of the Seven Sisters Road which lies partly in the Parishes of St. Mary Stoke Newington, Hornsey, and Tottenham, as is situate North-eastward of the North-eastern Boundary of the Parish of St. Mary, Islington, and which excepted Portions of Roads form Part of the Tenth District of Roads specified in the Third Schedule to the aforegoing Act annexed.

The

The SECOND SCHEDULE to which the aforegoing Act refers.

DIVISION OF ROADS BETWEEN PARISHES.

Portion of Parish Highway lying in Two Parishes.	Division between the Two Parishes of the Portion of Parish Highway.
So much of the Fulham Road, partly in the Parish of St. Mary Abbott Kensington, and partly in the Parish of St. Luke Chelsea, as extends from the Boundary Line between the Parishes of St. Mary Abbott Kensington, and St. Luke Chelsea, at the End of Marlborough Road, to the Boundary between the Parishes of St. Luke Chelsea and Fulham at Stamford Bridge.	1. To be deemed in the Parish of St. Mary Abbott Kensington. The Carriageway and Channels of so much of the Fulham Road as lies between the Boundary Line between the Parishes of St. Mary Abbott Kensington and St. Luke Chelsea at the End of Marlborough Road, and the Eastern Side of Thistle Grove. 2. To be deemed in the Parish of St. Luke Chelsea. The Carriageway and Channels of so much of the Fulham Road as lies between the Eastern Side of Thistle Grove and the Boundary Line between the Parishes of St. Luke Chelsea and Fulham at Stamford Bridge.
So much of the Kilburn Road, partly in the Parish of Paddington, and partly in the Parish of St. Marylebone, as extends from the Canal Bridge at Maida Hill to the Southern Boundary of the Parish of Hampstead.	1. To be deemed in the Parish of Paddington. The Carriageway and Channels of so much of the Kilburn Road as lies between the Canal Bridge at Maida Hill and a Point 100 Yards Southward of Abercorn Place at Maida Vale. 2. To be deemed in the Parish of St. Marylebone. The Carriageway and Channels of so much of the Kilburn Road as lies between a Point 100 Yards Southward of Abercorn Place at Maida Vale and the Southern Boundary of the Parish of Hampstead.

The THIRD SCHEDULE to which the aforegoing Act refers.

DISTRICTS.

THE FIRST DISTRICT. To be coloured Crimson Lake on the Map referred to in the Tenth Section of the aforegoing Act.

The Great Western or Old Brentford Road, from the Western Boundary of Hammersmith Parish to Brentford Bridge.

THE SECOND DISTRICT. To be coloured Orange on the Map.

The Great Western Road, from Brentford Bridge to the Town Hall in Hounslow and the Isleworth Roads, being the Road leading out of the Great Western Road through Sion Lane to the Southern side of Teddington Field in the Road to Kingston Bridge, and the Road called Pound Lane or Lower Wood Lane, leading out of the Great Western Road to Isleworth.

THE THIRD DISTRCT. To be coloured Yellow on the Map.

The Great Western Road, from the Town Hall in Hounslow to Baber Bridge, and the Road from Hounslow to Cranford Bridge.

THE FOURTH DISTRICT. To be coloured Blue Purple on the Map.

The Uxbridge Road, from the Western Boundary of Hammersmith Parish to the Seventh Mile Post on the Uxbridge Road.

THE FIFTH DISTRICT. To be coloured Sepia on the Map.

The Uxbridge Road, from the Seventh to the Eleventh Mile Posts on that Road and Boston Lane.

THE SIXTH DISTRICT. To be coloured Vermillion on the Map.

The Uxbridge Road, from the Eleventh Mile Post thereon to Uxbridge.

THE SEVENTH DISTRICT. To be coloured Emerald Green on the Map.

The Harrow Road, from the Western Side of Willesden Lane to Harrow.

THE EIGHTH DISTRICT. To be coloured Carmine on the Map.

The Kilburn Road, from the Southern Boundary of Hampstead Parish to the Eighth Mile Post on the Kilburn Road.

THE NINTH DISTRICT. To be coloured Light Blue on the Map.

The Kilburn Road, from the Eighth Mile Post thereon to Sparrows Herne.

THE TENTH DISTRICT. To be coloured Red Purple on the Map.

The Green Lanes Road, from the crossing thereof by the Metropolitan High Level Main Drainage Sewer to Bush Hill, and the Seven Sisters Road, from the Eastern Boundary of Islington Parish to the Stamford Hill Road at Page Green.

THE ELEVENTH DISTRICT. To be coloured Sienna on the Map.

The Stamford Hill Road, from the Northern Boundary of Hackney Parish to the Junction of that Road with the Edmonton and Enfield Road.

THE

THE TWELFTH DISTRICT. To be coloured Blue on the Map.

The Stamford Hill Road, from the Junction of that Road with the Edmonton and Enfield Road to the Boundary of the County of Middlesex, and the Edmonton and Enfield Road from that Junction to Enfield.

THE THIRTEENTH DISTRICT. To be coloured Green on the Map.

The Lea Bridge Road, from the Northern Boundary of Hackney Parish to the Junctions of that Road with the Middlesex and Essex Turnpike Road at Snaresbrook and at Woodford respectively.

The FOURTH SCHEDULE to which the aforegoing Act refers.

TOLLS.

	s.	*d.*
For every Horse, Ass, or other Beast not drawing - - -	*0*	*1*
For every Horse or other Beast (except an Ass) drawing - - -	*0*	*2*
For every Ass drawing - - - - - - -	*0*	*1*
For every score of Oxen, Cows, or Neat Cattle (and so in proportion for any greater or less Number) - - - - - - -	*0*	*5*
For every Score of Calves, Sheep, Lambs, or Swine (and so in proportion for any greater or less Number) - - - - - - -	*0*	*2½*

N.B.—Payment of Toll on any Two of the First, Second, and Third Districts clears the other of those Districts, and Payment of Toll on any Two of the Fourth, Fifth, and Sixth Districts clears the other of those Districts.

The FIFTH SCHEDULE to which the aforegoing Act refers.

Sections of Acts repealed.

Act of 1826.

Sections 37 and 38, relating to Roads which under the Act of 1829 have ceased to be maintainable by the Commissioners.
Sections 39 and 40, relating to Statute Work on Roads in the Parish of Ealing.
Section 71, relating to the lighting of Roads.
Sections 72 to 76, both inclusive, relating to the watching of Roads.
Sections 88 and 89, relating to Exemptions from Tolls.
Section 90, relating to Tolls.
Sections 92 and 93 and 94, relating to Over-weight.
Sections 117 and 118, relating to Annuities which have ceased to be payable.

Act of 1829.

Section 15, relating to the Rents of Lyon's Estates.
Section 16, relating to the Rents of Harvist's Estate.
Section 18, relating to Districts for Tolls.
Sections 19 to 31, both inclusive, relating to Tolls.

Metropolis Turnpike Roads Acts Amendment.

A

BILL

To amend the Acts relating to the Turnpike Roads in the Neighbourhood of the Metropolis North of the River Thames.

(Prepared and brought in by Mr. Gathorne Hardy and Sir William Jolliffe.)

Ordered, by The House of Commons, *to be Printed,* 3 *March* 1863.

[Bill 47.]

Under 3 oz.

Metropolis Turnpike Roads Acts Amendment Bill.

[AS AMENDED IN SELECT COMMITTEE.]

ARRANGEMENT OF CLAUSES.

	Sections.
Preamble.	
Short Titles to Acts	1
Clause A.—Supply of Vacancies in Commission	2
After 1st July 1864, Roads in Parishes specified in First Schedule to cease to be maintained by Commissioners	3
And afterwards shall be maintained by the Parishes in which they lie	4
Apportionment between Two Parishes of Portions of Parish Highways in both Parishes, as in Second Schedule	5
Inhabitants of Houses near to Parish Highways not to be assessed under the Act of 1826	6
Toll Houses, &c. to be removed, with Option to Parishes to purchase Pumps, &c.	7
Clause B.—Provisions of other Acts relating to Parish Highways continued	8
Apportionment of the Income from Lyon's Estates	9
Apportionment of the Income from Harvist's Estate	10
The other Roads now under Care of Commissioners to continue so subject, and to be divided into Districts as in the Third Schedule	11
Clause C.—Cesser of Liability of Commissioners to maintain other Roads	12
Map of Districts to be deposited with Clerks of Peace	13
Power to put up Toll Gates, &c.	14
Tolls under Act of 1829 to cease	15
Tolls specified in Fourth Schedule	16
Repeal of Sections of Acts of 1826 and 1829 specified in Fifth Schedule	17
Clause D.—Repeal of Section 141 of the Act of 1826 and Restrictions and Regulations as to Erection of Buildings in the City Road	18
Provision as to Lea Bridge	19
Increase of Tolls in Thirteenth District, when Repairs of Lea Bridge exceed 1,000*l.*	20

Sections

CLAUSE E.—Provisions of Locomotive Act, 1861, to apply to Roads maintainable by the Commissioners - - 21
Horses or Cattle going to depasture on Walthamstow Marsh exempt from Toll in Thirteenth District - - - 22
Tolls to be paid only once a Day in the same District - 23
Horses, &c. drawing different Carriages to pay each Time of passing - - - - - - - - - - - 24
Postchaises to pay each Time of passing with a fresh Hiring 25
Stage Coaches to pay each Time of passing - - - - 26
Hackney Coaches to pay each Time of passing with a fresh Hiring - - - - - - - 27
Carts laden with Bricks, &c. to pay each Time of passing - 28
Additional Tolls in respect of narrow Wheels - - - - 2
Power to direct that Payment of Toll in One District shall exempt from Payment in another - - - - - - 30
Special Ticket for denoting special Exemption - - - 31
Penalty on Collector, &c. for giving false special Ticket - 32
CLAUSE F.—Compensation for Officers of Commissioners for Loss of Salary, &c. - - - - - - - - 33
Provisions of Act of 1826 applicable to Tolls under this Act - 34
Exercise of Powers to remove Nuisances given by Acts of 1826 and 1829 - - - - - - - - - - 3
Offences under Section 157 of Act of 1826 to be Misdemeanor instead of Felony - - - - - - - 36
Provisions of Acts of 1826 and 1829 to continue applicable to Roads maintained by Commissioners - - - - - 37
CLAUSE G.—Highways not to be narrowed - - - - - 38
Commissioners not bound to light Roads, and not to watch Roads - - - - - - - - - - - 39
Times for making up yearly Accounts and holding yearly Meetings of Commissioners - - - - - - - 40
CLAUSE H.—Provision for Portions of Roads ceasing in future to be maintainable by Commissioners - - - - - 41
CLAUSE I.—And being thenceforth maintained by the Parishes in which they lie - - - - - - - 42
CLAUSE K.—Provision as to Toll Houses, &c., thereon - 43
CLAUSE L.—Term of Act - - - - - - - - - 44
Application to Parliament for Regulation of Roads, &c., after Expiration of Term of Act - - - - - - - 45
Application to Chancery for interim Order for Application of Income from Trust Estates - - - - - - 46
SCHEDULES.

A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE]

TO

Amend the Acts relating to the Turnpike Roads in the Neighbourhood of the Metropolis North of the River Thames.

WHEREAS by the Act of the Seventh Year of George the Fourth, Chapter One hundred and forty-two, intituled "An Act for consolidating the Trusts of the several "Turnpike Roads in the Neighbourhood of the Metropolis North "of the River Thames" (in this Act called "the Act of 1826"), the several Roads in the Neighbourhood of the Metropolis North of the River Thames which are specified in the First Schedule to the reciting Act annexed were placed under the Care and Superintendence of the Commissioners of the Metropolis Turnpike Roads North of the Thames (in this Act called "the Commissioners"), who were thereby appointed Commissioners for making, amending, widening, improving, repairing and keeping in repair, cleansing, lighting, watching, and watering those Roads: And whereas under the Act of the Tenth Year of George the Fourth, Chapter Fifty-nine, intituled "An "Act to amend an Act of the Seventh Year of His present Majesty, "for consolidating the Trusts of the several Turnpike Roads in the "Neighbourhood of the Metropolis North of the River Thames; and "to make and maintain Two new or Branch Roads to communicate Preamble.

" with the said Metropolis Roads" (in this Act called "the Act of 1829"), the Parts specified in Section 7 of the reciting Act of the Roads specified in the First Schedule to the Act of 1826 annexed, ceased to be maintainable by the Commissioners, and became Common Highways maintainable by the Parishes in which the same are respectively situate: And whereas by the Act of 1829 Provision was made (Section 15) for the Appropriation between the Vestry of the Parish of Paddington and the Vestrymen of the Parish of Saint Marylebone and the Commissioners of the Rents and Profits of Lyon's Estates, which (as was recited in the Act of 1826, Section 29,) were applicable for repairing and amending the Highway from the Town of Harrow-upon-the-Hill into the City of London, and the Common Highway from the Town of Edgeware in the County of Middlesex and the City of London respectively; and Provision was made (Section 16) for the Appropriation between the Vestry of the Parish of Paddington and the Vestrymen of the Parish of Saint Marylebone and the Commissioners of the Rents and Profits of Harvist's Estate, which (as was recited in that Section) were applicable for the repairing and amending of the Highway between Tyburn and Edgeware in the County of Middlesex: And whereas by the Act of the Ninth Year of George the Fourth, Chapter Sixty-four, intituled "An Act "to extend the Jurisdiction of the Commissioners acting in the "Execution of Two Acts for paving and regulating the Regent's "Park together with the New Street from thence to Pall Mall, and "to amend the said Acts," Provision was made with respect to Parts of the Roads specified in the First Schedule to the Act of 1826 annexed: And whereas by the Act of the Session of the Eighth and Ninth Years of Her present Majesty, Chapter One hundred and forty-three, intituled "An Act for better paving, lighting, "cleansing, regulating, and improving the Parish of Saint Luke "Chelsea (exclusive of the District of Hans Town) in the County "of Middlesex," further Provision was made with respect to Parts of the Roads specified in the First Schedule to the Act of 1826 annexed: And whereas by "The New North Road Act, 1849," Provision was made for the Management by the Commissioners of the New North Road from Highbury Place, Islington, to Haberdashers Walk, Shoreditch, but the Term of that Act has ceased: And whereas by "The Marylebone and Finchley Turnpike Roads Extension Act, 1850," the Management of the Marylebone and Finchley Turnpike Roads was transferred to the Commissioners, but those Roads are maintained by the Parishes in which they lie: And whereas by "The Metropolis Roads (Harvist's Estate) Act, 1855," (in this Act called "the Act of 1855,") Harvist's Estate was vested in the Commissioners, and Provision was made for the Appropriation, in accordance with the Act of 1829, of the Rents and Profits of Harvist's

Harvist's Estate, and of the Dividends of the Trust Stock referred to in the reciting Act, or the Rents and Profits of the Lands purchased with the Proceeds of the Trust Stock: And whereas it is expedient that the several Roads now maintained by the Commissioners situate in the several Parishes specified in the First Column of the First Schedule to this Act annexed (being Parts of the Roads now maintainable by the Commissioners) should, with the Exception of the Portions of Roads specified in the Second Column of that Schedule, cease to be maintainable by the Commissioners, and should be Common Highways and maintainable accordingly, and that some of the Provisions of the Acts of 1826 and 1829 respectively should be amended: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Short Titles to Acts.

1. The Acts of 1826 and 1829 and this Act respectively may for all Purposes be cited as follows; (that is to say,)

The Act of 1826 (of the Seventh Year of George the Fourth, Chapter 142), as "Metropolis Roads Act, 1826":

The Act of 1829 (of the Tenth Year of George the Fourth, Chapter 59), as "Metropolis Roads Act, 1829":

This Act as "Metropolis Roads Act, 1863."

Clause A. Supply of Vacancies in Commission.

2. In the Case of any Vacancy which has already occurred, and if and when any Vacancy shall hereafter occur, in the Number of the Commissioners from Time to Time appointed by the Commissioners of Her Majesty's Treasury, in pursuance of the Act of 1826, the Commissioners of Her Majesty's Treasury, as in the Case of an original Appointment in pursuance of the Act of 1826, may appoint a Commissioner or Commissioners to supply the Vacancy, and every Commissioner so from Time to Time appointed shall to all Intents be deemed to be appointed in pursuance of the Act of 1826.

After 1st July 1864 Roads in Parishes specified in First Schedule to cease to be maintained by Commissioners;

3. On and after the First Day of July One thousand eight hundred and sixty-four such of the Roads now maintainable by the Commissioners as are situate in the several Parishes which are specified in the First Column of the First Schedule to this Act annexed (except only such Portions of those Roads as are specified in the Second Column of that Schedule), shall cease to be maintained, repaired, lighted, watched, or watered by the Commissioners, and to be subject to the Superintendence and Management of the Commissioners, and to be Turnpike Roads, and shall be Common Highways; and the Roads so made Common Highways are in this Act referred

to as "the Parish Highways": Provided, that if and whenever the Commissioners erect or maintain any Turnpike Gate or Bar (not being a Side Gate or Side Bar) across any Road now maintainable by the Commissioners they shall continue to maintain and repair as heretofore One Quarter of a Mile in Length of the Main Road on the City of London Side of the Turnpike Gate or Bar, and notwithstanding that any Part of that Length of the Main Road be within any Parish which but for this Provision would under this Act be bound to maintain and repair the same.

and afterwards shall be maintained by the Parishes in which they lie.

4. On and after the First Day of July One thousand eight hundred and sixty-four so much of the Parish Highways as lies within any Parish specified in the First Column of the First Schedule to this Act annexed shall be maintained, repaired, watched, lighted, watered, and dealt with in all respects as Part of the Common Highways within that Parish under and subject to all the Provisions contained in any Act or Acts from Time to Time in force within that Parish applicable to Highways, Streets, Footpaths and Footways, and under and subject to the Metropolis Local Management Acts, and all Quit-rents and other Outgoings payable in respect thereof shall be paid accordingly as Part of the Expenses of maintaining the same.

Apportionment between Two Parishes of Portions of Parish Highways in both Parishes, as in Second Schedule.

5. Whereas the several Portions which are specified in the First Column of the Second Schedule to this Act annexed of the Parish Highways are partly in each of Two Parishes, as is in that Schedule expressed, the Boundary Line between the Two Parishes running in most Cases along or nearly along the Centre of the Portion of Parish Highway, and it is expedient that special Provision be made in that Behalf: Therefore the several Portions of the Parish Highways which are specified in the Second Schedule to this Act annexed shall, for the Purposes of the maintaining, repairing, lighting, watching, and watering of the same, be deemed to be situate in the several Parishes in that Behalf specified in that Schedule, and not in any other Parish: Provided, that this Enactment shall not alter or affect the Boundaries of any of those Parishes, or any Jurisdiction as to the Houses, Buildings, Tenements, or Hereditaments abutting on those Portions of the Parish Highways, or the Parochial or other Rates or Assessments thereon, or vary any Jurisdiction as to the Footways of the said Highway; and provided further, that no Alteration whatsoever shall be made in the Level of the Channels of the said Highways or any Portion thereof without the mutual Consent of the Vestries of the said Two Parishes for that Purpose in Writing first had and obtained.

Inhabitants of Houses near to

6. After the First Day of July One thousand eight hundred and sixty-four inclusive no Rate or Assessment shall be made under Section

Section 101 of the Act of 1826, on any Person, by reason only of his inhabiting, holding, using, possessing, occupying, or enjoying any House, Shop, Warehouse, Coach House, Stable, or other Building, Yard, Garden, or Ground near to any of the Parish Highways, but in all other respects the Powers of rating given by the Act of 1826, and all Provisions relating thereto, which if this Act were not passed would be in force, shall respectively continue in full Force.

Parish Highways not to be assessed under the Act of 1826.

7. In the Month of July One thousand eight hundred and sixty-four the Commissioners shall remove all Toll Houses, Turnpike Gates, Side Gates, Bars, Pumps, Stand Posts, Water Meters, Troughs, and other Conveniences then belonging to the Commissioners, and being on or by the Side of the Parish Highways, and shall sell and dispose of the same, or the Materials thereof, and shall apply the net Monies arising from the Sale to the general Purposes of the Commissioners under the Acts of 1826 and 1829 and this Act respectively: Provided, that if before the First Day of July One thousand eight hundred and sixty-four the Vestry or District Board within whose Parish or any of whose Parishes any such Pump, Stand Post, Water Meter, Trough, or other Convenience is then situate, shall, by Notice in Writing to the Commissioners, elect to purchase the same, or any of them, they may do so at a Price agreed on between the Vestry or District Board and the Commissioners, or which, if not so agreed on, shall be ascertained by the Valuation of Two Valuers (One to be named by the Vestry or District Board, and the other by the Commissioners), or their Umpire.

Toll Houses, &c. to be removed, with Option to Parishes to purchase Pumps, &c.

8. Notwithstanding that the Parish Highways cease to be Turnpike Roads and become Common Highways, all the Provisions of every Act of Parliament (other than the several recited Acts) relating to the several Portions of the Roads which so cease to be Turnpike Roads, or to the Commissioners or their Agents, Officers, or Servants with respect to the same, and on the First Day of July One thousand eight hundred and sixty-four in force, shall be of like Force as if the Cesser had not happened, and may be exercised, enforced, and enjoyed by and against the respective Vestries or Districts Boards having the Maintenance of the Parish Highways respectively, and their Agents, Officers, and Servants respectively, in as full and beneficial a Manner to all Intents and Purposes as the same respectively might if the Cesser had not happened, be enforced and enjoyed by and against the Commissioners and their Agents, Officers, and Servants respectively.

Clause B. Provisions of other Acts relating to Parish Highways continued.

Apportionment of the Income from Lyon's Estates.

9. From and after the First Day of July One thousand eight hundred and sixty-four inclusive the clear yearly Income of the Commissioners from Lyon's Estates shall be apportioned and applied as follows; that is to say,

First.—As to the clear yearly Income of the Commissioners from those Parts of Lyon's Estates which were conveyed by an Indenture of the Sixth Day of July in the Twenty-first Year of Elizabeth:

Four Thirty-ninth Parts thereof shall be paid by the Commissioners to the Vestry of the Parish of Paddington, and be applied by them in or towards defraying their Expenses of the maintaining, repairing, lighting, and watering of that Portion of the Kilburn Road which will be maintainable by that Parish:

Nine Thirty-ninth Parts thereof shall be paid by the Commissioners to the Vestry of the Parish of Saint Marylebone, and be applied by them in or towards defraying their Expenses of the maintaining, repairing, lighting, and watering of that Portion of the Kilburn Road which will be maintainable by that Parish:

The remaining Twenty-six Thirty-ninth Parts thereof shall be retained by the Commissioners, and be applied by them in or towards defraying their Expenses of the maintaining, repairing, lighting, and watering of the Remainder of the Kilburn Road to Edgeware:

Secondly.—As to the clear yearly Income of the Commissioners from those Parts of Lyon's Estates which were conveyed by an Indenture dated the Nineteenth Day of December in the Twenty-fifth Year of Elizabeth:

Four Twentieth Parts thereof shall be paid by the Commissioners to the Vestry of the Parish of Paddington, and be applied by them in or towards defraying their Expenses of the maintaining, repairing, lighting, and watering of that Portion of the Harrow Road which will be maintainable by that Parish:

Three Twentieth Parts thereof shall be paid by the Commissioners to the Vestry of the Parish of Saint Marylebone, and be applied by them in or towards defraying their Expenses of the maintaining, repairing, lighting, and watering of that Portion of the Harrow Road which will be maintainable by that Parish:

One Twentieth Part thereof shall be paid by the Commissioners to the Vestry of the Parish of Saint Luke Chelsea, and be applied by them in or towards defraying their Expenses of the maintaining, repairing, lighting, and watering of that Portion of the Harrow Road which will be maintainable by that Parish:

And the remaining Twelve Twentieth Parts thereof shall be retained by the Commissioners, and be applied by them in or towards

towards defraying their Expenses of the maintaining, repairing, lighting, and watering of the Remainder of the Harrow Road to Harrow-on-the-Hill.

Apportionment of the Income from Harvist's Estate.

10. From and after the First Day of July One thousand eight hundred and sixty-four inclusive the clear yearly Income of the Commissioners from Harvist's Estate shall be apportioned and applied as follows; that is to say,

One Eighth Part thereof shall be paid by the Commissioners to the Vestry of the Parish of Paddington, and be applied by them in or towards defraying their Expenses of the maintaining, repairing, lighting, and watering of that Portion of the Kilburn Road which will be maintainable by that Parish:

One Eighth Part thereof shall be paid by the Commissioners to the Vestry of the Parish of Saint Marylebone, and be applied by them in or towards defraying their Expenses of the maintaining, repairing, lighting, and watering of that Portion of the Kilburn Road which will be maintainable by that Parish:

And the remaining Six Eighth Parts thereof shall be retained by the Commissioners, and be applied by them in or towards defraying their Expenses of the maintaining, repairing, lighting, and watering of the Remainder of the Kilburn Road to Edgeware.

The other Roads now under Care of Commissioners to continue so subject, and to be divided into Districts, as in the Third Schedule.

11. Provided that, except only as is by this Act otherwise expressly provided, The several excepted Portions of Roads which are specified in the Second Column of the First Schedule to this Act annexed, and all such other Parts of the Roads now maintainable by the Commissioners as are not Part of the Parish Highways, shall continue to be subject to the Superintendence and Management of the Commissioners under the Powers and Provisions of the Acts of 1826 and 1829, and of this Act; and on and after the First Day of July One thousand eight hundred and sixty-four those several Roads shall, for the Purposes of collecting Tolls thereon, be divided into the Thirteen Districts specified in the Third Schedule to this Act annexed.

Clause C. Cesser of Liability of Commissioners to maintain other Roads.

12. On and after the First Day of July One thousand eight hundred and sixty-four the Liability of the Commissioners under the Acts of 1826 and 1829 respectively with respect to the maintaining, repairing, lighting, watching, or watering, or the Superintendence or Management of the several Roads comprised in those Acts, or either of them other than such of those Roads as are specified in the Third Schedule to this Act annexed shall absolutely cease: Provided that, this Cesser of Liability of the Commissioners shall be without Prejudice to their Liability under this Act with respect to the Maintenance or Repair of any Portion of Main Road situate on the City

of London Side of and within One Quarter of a Mile from any Turnpike Gate or Bar of the Commissioners across the Road.

Map of Districts to be deposited with Clerks of Peace.

13. Within Nine Months after the passing of this Act the Commissioners shall deposit with the respective Clerk of the Peace for each of the Counties of Middlesex, Essex, and Hertford a Map signed by the General Surveyor of the Commissioners, showing the Thirteen Districts of Roads specified in the Third Schedule to this Act annexed, and distinguishing the Districts by the Colours specified in that Schedule; and the Clerks of the Peace shall keep the same, and allow Inspection thereof, and make Copies and Extracts of the same, in like Manner, on like Terms, and under like Penalty for Default as is provided with respect to Documents therein referred to by the Act of the First Year of Her present Majesty, Chapter Eighty-three.

Power to put up Toll Gates, &c.

14. On or after the First Day of July One thousand eight hundred and sixty-four the Commissioners, when and as they from Time to Time think fit, may erect, provide, and maintain any Toll Houses, Turnpike Gates, Side Gates or Bars across or by the Sides of any of the Roads which are specified in the Third Schedule to this Act annexed, and across any Streets, Roads, or Lanes from Time to Time leading into any of those Roads; provided that no Side Gate or Bar across any Street, Road, or Lane leading into any of those Roads shall be more than Twenty Yards distant from the Side of the respective Road.

Tolls under Act of 1829 to cease.

15. On and after the First Day of July One thousand eight hundred and sixty-four the several Tolls by the Act of 1829 (Section 19) authorized to be taken shall cease to be payable.

Tolls specified in Fourth Schedule.

16. On and after the First Day of July One thousand eight hundred and sixty-four the Commissioners or their Lessees or Collectors from Time to Time may demand, receive, and take, at every Turnpike Gate, Side Gate and Bar already or hereafter erected on or by the Side of the several Roads specified in the Third Schedule to this Act annexed, or across any Street, Road, or Lane leading into any of those Roads, any Tolls not exceeding the several Tolls specified in the Fourth Schedule to this Act annexed.

Repeal of Sections of Acts of 1826 and 1829 specified in Fifth Schedule.

17. On the First Day of July One thousand eight hundred and sixty-four the several Sections of the Acts of 1826 and 1829 respectively, which are specified in the Fifth Schedule to this Act annexed, shall be by this Act repealed: Provided, that the Repeal of those Sections, or any of them, shall not have any retroactive Operation.

18. Section

CLAUSE D. Repeal of Section 141 of the Act of 1826 and Restrictions and Regulations as to Erection of Buildings in the City Road.

18. Section 141 of the Act of 1826 is hereby repealed so far only as it applies to the Parish Highways within the Parish of Saint Luke, Old Street; but no Building prohibited by that Section shall hereafter be erected on the Fore Courts or Gardens of Houses and Buildings in the City Road on either Side thereof between Old Street and Oakley Crescent, including the Houses adjoining Oakley Crescent, save under the following Conditions and Restrictions; that is to say,

Every Building shall be so placed as to have a Space for a Footway of a Width of Twelve Feet between it and the Carriageway, and sufficient Land shall, on the Erection of any Building on the Fore Court of the Premises, be thrown into and form Part of the Footway, so that the Width of the Footway may be Twelve Feet at least: Every such Building shall be of a Height measured from the Surface of the Ground to the Apex of the Roof of not more than Twenty Feet:

No such Building shall be erected except with the Consent of the Metropolitan Board of Works, signfied in Writing under the Hand of the Clerk of that Board:

Any Building erected in violation of any or either of these Provisions may be removed by the Vestry of the Parish or Board of Works of the District in which the Building may be situate, in the same Manner as if such Building had been erected in violation of the Provisions of the Act of the Twenty-fifth and Twenty-sixth Victoria, Chapter One hundred and two, intituled "The "Metropolis Local Management Amendment Act, 1862:"

Provided, that nothing herein contained shall interfere with the Rights of Owners of Property with respect to Buildings already existing, or which may be erected at a Distance of more than Forty Feet from the Carriageway of the City Road.

Provision as to Lea Bridge.

19. The Exemptions and Provisions with respect to Tolls contained in the General Turnpike Acts shall (except as the same are altered, varied, or repealed by the Acts of 1826 and 1829 and this Act respectively) extend to any Gate already or hereafter erected on Lea Bridge; and (except as is by the Acts of 1826 and 1829 and this Act respectively otherwise expressly provided) Lea Bridge shall, for all Purposes of the General Turnpike Acts and the Acts of 1826 and 1829 and this Act respectively, be considered as Part of the Road comprised in the Thirteenth District specified in the Third Schedule to this Act annexed.

Increase of Tolls in 13th District,

20. Provided, That if and whenever any Repairs of Lea Bridge costing more than One thousand Pounds are necessary, the Commissioners

when Repairs of Lea Bridge exceed 1,000*l.*

sioners may increase the Tolls on the Roads comprised in the Thirteenth District to One Half more in Amount than the Tolls in that Behalf specified in the Fourth Schedule, and continue the Increase until the Cost of the Repairs be repaid to the Commissioners by means of the increased Tolls.

CLAUSE E. Provisions of Locomotive Act, 1861, to apply to Roads maintainable by the Commissioners.

21. All the Clauses and Provisions of the Locomotive Act, 1861, shall apply to the several Turnpike Roads which under this Act shall continue to be maintainable by the Commissioners.

Horses or Cattle going to depasture on Walthamstow Marsh exempt from Toll in Thirteenth District.

22. Provided, That no Toll shall be demanded or taken on the Road comprised in the Thirteenth District for any Horse or other Cattle whatsoever going to Walthamstow Marsh or Low Layton Marsh only for the Purpose of depasturing there or returning from the same.

Tolls to be paid only once a Day in the same District.

23. Provided, That when the Toll by this Act authorized to be taken is once paid at any Gate or Bar in any District for any Animal, then (except only as is by this Act otherwise expressly provided) no further Toll shall be demanded or taken during the same Day for the same Animal at any other Gate or Bar within the same District, or on returning or repassing through the same Gate or Bar; but (except as is by this Act otherwise provided) the Payment of Toll in any One District shall not entitle the Party paying the same to any Exemption from Toll during the same Day in any other District.

Horses, &c. drawing different Carriages to pay each Time of passing.

24. Provided, That no Horse, Ass, or other Beast drawing any Waggon, Cart, or other such Carriage laden shall be exempt from Toll in any of the Districts by reason of any previous Payment of Toll within the same District during the same Day, unless the Beast at the Time of the previous Payment drew the same Carriage as that which he draws when the Exemption is claimed.

Postchaises to pay each Time of passing with a fresh Hiring.

25. Provided, That no Horse or other Beast drawing any Postchaise or other Carriage returning with any Person therein, and passing through any of the Gates or Bars of any of the Districts, shall be exempt from Toll unless a Ticket be produced denoting that the Toll was already paid on that Day by the Person then in or hiring the Postchaise or other Carriage.

Stage Coaches to pay each Time of passing.

26. Provided, that the Tolls shall be paid in every District for every Horse or Beast drawing any Stage Coach, Omnibus, Van, Caravan, Waggon, or other like Carriage conveying Passengers or Goods for Pay, Hire, or Reward, for every Time of passing along any of the Roads in that District.

27. Provided,

Hackney Coaches to pay each Time of passing with a fresh Hiring.

27. Provided, That the Tolls shall be paid in every District for every Horse or Beast drawing any Hackney Coach, Chariot, or Cabriolet for every Time of passing through any Gate or Bar of that District, unless the Person by whom the same is then hired already during the same Day paid Toll for the same within that District, and produces a Ticket denoting the Payment, or unless such Hackney Coach, Chariot, or Cabriolet shall be returning empty after having set down a Person who during that Day paid Toll for the same.

Carts laden with Bricks, &c. to pay each Time of passing.

28. Provided no Horse, Ass, or other Beast drawing any Waggon, Cart, or other Carriage laden with Bricks, Tiles, Stones, Lime, Timber, Coals, Iron in Bars, or Lead in Sheets shall be exempt from Toll in any District by reason of any previous Payment of Toll within the same District, except where the Beast at the Time of the previous Payment of Toll was going with the same Carriage, empty or laden with Breeze or Ashes for making Bricks, to fetch the Load which he draws when the Exemption is claimed.

Additional Tolls in respect of narrow Wheels.

29. On all the Roads within every District One Half more than the Tolls specified in the Fourth Schedule to this Act annexed as payable in that District for any Horse, Ass, or other Beast drawing, shall be demanded and taken for any or every Horse, Ass, or other Beast drawing any Waggon, Wain, Cart, or other such Carriage having the Fellies of the Wheels thereof of less Breadth than Four and a Half Inches at the Bottom or Soles thereof; and One Fourth more than the Toll so specified shall be demanded and taken for any or every Horse, Ass, or other Beast drawing any such Carriage having the Bottom or Soles of the Fellies of the Wheels of the Breadth of Four and a Half Inches but less than Six Inches; and One Half more than the Toll so specified shall be demanded and taken for any or every Horse, Ass, or other Beast drawing any such Carriage having the Bottom or Soles of the Fellies of the Wheels of the Breadth of Six Inches or more, and having any Tire or Tires of the Wheels deviating more than One Half of an Inch from a flat Surface, or not having the Nails of the Tire or Tires so countersunk as not to project beyond One Quarter of an Inch above any Part of the Surface thereof, anything in any other Act to the contrary notwithstanding: Provided, that nothing in this Section shall make any additional Toll payable where any Cart is not drawn by more than One Horse or Two Oxen.

Power to direct that Payment of Toll in One District shall exempt from

30. In addition to the Powers by the Act of 1826 given to the Commissioners for reducing, advancing, and altering Tolls the Commissioners may from Time to Time direct that Payment of any Toll specially appointed by them for the Purpose, and being of greater

Payment in another.

Amount than the Tolls specified in the Fourth Schedule to this Act annexed, or not, as they deem proper, shall exempt the Person paying it from any further Payment of Toll during the same Day in respect of the Animal in respect of which it was paid, not only within the District in which it was paid, but also in all or any of the other Districts.

Special Ticket for denoting special Exemption.

31. When the Commissioners make any such Direction they shall appoint a special Ticket denoting the special Exemption to be issued, and every Person passing through any Gate or Bar in the District to which the Direction relates shall, at his Option, be entitled either to the ordinary Ticket for exempting from further Toll within the same District only, in which Case only the ordinary Toll shall be demanded or taken, or to the special Ticket denoting the special Exemption, in which Case the Toll appointed for the Purpose, and no less Toll, shall be demanded and taken.

Penalty on Collector, &c. for giving false special Ticket.

32. If any Collector or Gate Keeper issue a Ticket denoting the special Exemption or Payment of any less Toll than the Toll appointed for that Purpose, every Person so offending shall for every such Offence forfeit not exceeding Twenty Pounds, to be recovered, levied, and applied as directed by the General Turnpike Act of the Third Year of George the Fourth with respect to the Penalties thereby imposed.

Clause F. Compensation for Officers of Commissioners for Loss of Salary, &c.

33. Inasmuch as after the passing of this Act it will be the Duty of the Commissioners to revise and reduce the Salaries and Emoluments of Officers now employed by them, the Commissioners may, with the Consent of One of Her Majesty's Principal Secretaries of State, allow to any Person or Persons in their Employ such Compensation as is so approved, the same to be paid out of any Balances in their Hands or out of Tolls collected under this Act.

Provisions of Act of 1826 applicable to Tolls under this Act.

34. The several Provisions, Restrictions, and Exemptions contained in the Act of 1826 with respect to the Tolls by that Act authorized to be taken, and the Collection, letting, Advancement, Reduction, and Alteration thereof, and with respect to the Application of the Monies arising therefrom, shall, so far as they are now in force, and except so far as they are altered by this Act, extend and apply to the Tolls by this Act authorized, and the Monies to arise therefrom, in the same Manner and as fully as if they had been specially re-enacted with reference to those Tolls and Monies.

Exercise of Powers to remove

35. All the Powers and Means of removing Nuisances and preventing Encroachments and Annoyances which by the Acts of 1826 and

and 1829 respectively were given to and vested in the Commissioners shall, so far as the same relate to the Parish Highways, be vested in and exercised by the several Vestries or District Boards by which respectively the Parish Highways are from Time to Time maintainable, in addition to the Powers and Authorities for the like Objects vested in and which may be exercised by the several Vestries and District Boards under any Act or Acts from Time to Time in force, and that in as full, ample, and beneficial a Manner to all Intents and Purposes and subject to the like Conditions and Restrictions as the same would be vested in and exerciseable by the Commissioners if this Act were not passed; provided that, so far as those Powers and Means relate to the Roads from Time to Time maintainable by the Commissioners, the same shall continue to be vested in and exerciseable by them.

Nuisances given by Acts of 1826 and 1829.

36. The Offences which by Section 157 of the Act of 1826 are declared to be Felony shall not be Felony, but shall be Misdemeanor and shall be punishable accordingly.

Offences under Section 157 of Act of 1826 to be Misdemeanor instead of Felony.

37. Except only so far as is by this Act otherwise expressly provided, the several Powers and Provisions of the Acts of 1826 and 1829 respectively relating to the Roads now maintainable by the Commissioners, and which immediately before the First Day of July One thousand eight hundred and sixty-four shall be in force, and which shall not be on that Day by this Act repealed, shall (subject to the Provisions of this Act) continue in force with respect to so much of the Roads now maintainable by the Commissioners as shall from Time to Time after that Day continue to be maintainable by them.

Provisions of Acts of 1826 and 1829 to continue applicable to Roads maintained by Commissioners.

38. No Portion of a Road which under this Act ceases to be Turnpike Road and becomes Common Highway shall at any Time thereafter be in any Part thereof lessened in Width.

Clause G. Highways not to be narrowed.

39. It shall not be obligatory on the Commissioners to light any Part of the Roads which after the First Day of July One thousand eight hundred and sixty-four will be maintainable by them, and they shall not watch any Part of those Roads.

Commissioners not bound to light Roads, and not to watch Roads.

40. Inasmuch as the Practice of the Commissioners has been to make up their yearly Accounts to Lady Day, and to hold their yearly Meeting in April, therefore the Practice heretofore in that respect shall be deemed to have been correct; but if and when One of Her Majesty's Principal Secretaries of State shall by Notice in Writing to the Commissioners so require, they henceforth shall make up their yearly Accounts to the Thirty-first Day of December and hold their yearly Meeting before Lady Day.

Times for making up yearly Accounts and holding yearly Meetings of Commissioners.

CLAUSE H. Provision for Portions of Roads ceasing in future to be maintainable by Commissioners;

41. From Time to Time, after the First Day of July One thousand eight hundred and sixty-four, any Portion of the Roads now maintainable by the Commissioners which are not Part of the Parish Highways, with the Consent of the Vestry, District Board, Improvement Commissioners, Trustees, or other Local Board having the Maintenance of the other Roads within the Parish within which the respective Portion of the Roads is situate, and in Places where there is no such District Board, Improvement Commissioners, or other such Local Board, then with the Consent of the Vestry, and with the Consent also of the Commissioners, and with the Approval of One of Her Majesty's Principal Secretaries of State, shall on and after a Day so consented to and approved cease to be maintained, repaired, lighted, watched, or watered by the Commissioners and to be subject to the Superintendence and Management of the Commissioners, and to be Turnpike Roads, and shall be Common Highways: Provided always, that where all the Parishes in which any One District of Road is situate shall agree to maintain and repair the whole of that District of Road as Common Highways, and shall give Notice of the Agreement to One of Her Majesty's Principal Secretaries of State, he may, if he think fit, make in the Bill for the then next General Turnpike Continuance Act such Provision as he thinks expedient, that the District of Road shall cease to be maintained, repaired, or watered by the Commissioners, and shall be maintained, repaired, and watered by the Parishes accordingly, and such Provision for any Matters incidental thereto as may be necessary.

CLAUSE I. and being thenceforth maintained by the Parishes in which they lie.

42. On and after the respective Day so consented to and approved the respective Portion of the Roads which from Time to Time so ceases to be Turnpike Road, and is made Common Highway, shall be maintained, repaired, watched, lighted, and watered as Part of the Common Highways within the Parish within which the respective Portion of the Roads is situate, and all Quit Rents (if any) and other Outgoings in respect thereof shall be paid accordingly as Part of the Expenses of maintaining the same.

CLAUSE K. Provision as to Toll Houses, &c. thereon.

43. The Provisions of this Act with respect to Toll Houses, Turnpike Gates, Side Gates, Bars, Pumps, and other Works and Conveniences on or by the Side of the Parish Highways, and the several other Provisions of this Act applicable to the Portions of the Roads which on the First Day of July One thousand eight hundred and sixty-four become the Parish Highways, shall apply mutatis mutandis to the respective Portion of the Roads which from Time to Time after that Day ceases to be Turnpike Road and is made Common Highway.

44. This

CLAUSE L. Term of Act.

44. This Act shall (unless Parliament otherwise enacts) continue in force for the Term of Twenty-one Years from and after the passing thereof and until the End of the then next Session of Parliament, and from and after the Expiration of the Term of this Act all the Roads immediately before the Expiration thereof maintainable by the Commissioners shall be Common Highways, and maintainable accordingly.

CLAUSE M. Application to Parliament for Regulation of Roads, &c. after Expiration of Term of Act.

45. It shall be the Duty of the Commissioners not more than Five nor less than Two Years before the Expiration of the Term of this Act to promote a Bill in Parliament for an Act for making Provision for the maintaining, repairing, watching, lighting, and dealing in all respects with the Roads after the Expiration thereof, and for regulating the Application thenceforth of the clear yearly Income arising from Lyon's Estates and Harvist's Estate respectively, and for all incidental Matters, including a saving of the Rights of Harrow School in respect of surplus Income arising from Lyon's Estates.

CLAUSE N. Application to Chancery for interim Order for Application of Income from Trust Estates.

46. If and so far as any Period intervenes between the Expiration of the Term of this Act and the coming into force of any Regulations by Parliament for the Application of the clear yearly Income arising from Lyon's Estates and Harvist's Estate respectively, the Court of Chancery, on the Application in a summary Way by Petition, Summons, or Motion of Her Majesty's Attorney General on the Relation of the Commissioners, or of any of the Parishes then claiming to be entitled under the Trusts of those Estates respectively to participate in the clear yearly Income arising from the same respectively, may make such Orders as the Court may think fit for the Application of the same clear yearly Income, in accordance with those Trusts respectively, or as near thereto as the Court may think fit.

The FIRST SCHEDULE to which the aforegoing Act refers.

ROADS TRANSFERRED TO PARISHES.

Turnpike Roads which are to cease to be maintainable by the Commissioners, and are to be Parish Highways maintainable by the Parishes in which they are situate.	Portions of Turnpike Roads still to be maintained by the Commissioners.
The Turnpike Roads in the following Parishes, which are now maintained by the Commissioners:	
St. Margaret Westminster.	
St. Luke Chelsea.	
St. Mary Abbott Kensington St. Peter and St. Paul Hammersmith	Except that Part of the Harrow Road which lies partly in the Parish of St. Mary Abbott Kensington and St. Peter and St. Paul Hammersmith on the South Side, and partly in the Parish of Willesden on the North Side, and which excepted Portion of Road forms Part of the Seventh District of Roads specified in the Third Schedule to the aforegoing Act annexed.
Fulham.	
St. George Hanover Square.	
Paddington.	
St. Marylebone.	
St. John Hampstead	Except that Part of the Kilburn Road which lies partly in the Parish of St. John Hampstead, and partly in the Parish of Willesden, and which excepted Portion of Road forms Part of the Eighth District of Roads specified in the Third Schedule to the aforegoing Act annexed.
St. James and St. John Clerkenwell.	
St. Pancras.	
St. Mary Islington.	
St. Luke Old Street.	
St. Leonard Shoreditch.	
St. Matthew Bethnal Green.	
Hackney.	
St. Mary Stoke Newington and Hornsey	Except so much of the Green Lanes Road which lies partly in the Parish of St. Mary Stoke Newington, and partly in the parish of Hornsey, as is situate Northward of the Metropolitan High Level Main Drainage Sewer, and so much of the Seven Sisters Road which lies partly in the Parishes of St. Mary Stoke Newington, Hornsey, and Tottenham, as is situate North-eastward of the North-eastern Boundary of the Parish of St. Mary, Islington, and which excepted Portions of Roads form Part of the Tenth District of Roads specified in the Third Schedule to the aforegoing Act annexed.

The SECOND SCHEDULE to which the aforegoing Act refers.

DIVISION OF ROADS BETWEEN PARISHES.

Portion of Parish Highway lying in Two Parishes.	Division between the Two Parishes of the Portion of Parish Highway.
So much of the Fulham Road, partly in the Parish of St. Mary Abbott Kensington, and partly in the Parish of St. Luke Chelsea, as extends from the Boundary Line between the Parishes of St. Mary Abbott Kensington, and St. Luke Chelsea, at the End of Marlborough Road, to the Boundary between the Parishes of St. Luke Chelsea and Fulham at Stamford Bridge.	1. To be deemed in the Parish of St. Mary Abbott Kensington. The Carriageway and Channels of so much of the Fulham Road as lies between the Boundary Line between the Parishes of St. Mary Abbott Kensington and St. Luke Chelsea at the End of Marlborough Road, and the Eastern Side of Thistle Grove. 2. To be deemed in the Parish of St. Luke Chelsea. The Carriageway and Channels of so much of the Fulham Road as lies between the Eastern Side of Thistle Grove and the Boundary Line between the Parishes of St. Luke Chelsea and Fulham at Stamford Bridge.
So much of the Kilburn Road, partly in the Parish of Paddington, and partly in the Parish of St. Marylebone, as extends from the Canal Bridge at Maida Hill to the Southern Boundary of the Parish of Hampstead.	1. To be deemed in the Parish of Paddington. The Carriageway and Channels of so much of the Kilburn Road as lies between the Canal Bridge at Maida Hill and a Point 100 Yards Southward of Abercorn Place at Maida Vale. 2. To be deemed in the Parish of St. Marylebone. The Carriageway and Channels of so much of the Kilburn Road as lies between a Point 100 Yards Southward of Abercorn Place at Maida Vale and the Southern Boundary of the Parish of Hampstead.

So much of the Uxbridge Road, partly in the Parish of St. George Hanover Square and partly in the Parish of Paddington, as extends from the Western Boundary of the Parish of St. Marylebone at Tyburn to the Eastern Boundary of the Parish of Paddington, where it crosses the Road at Bayswater, and lies southward of the Footway on the Northern Side of that Portion of the Uxbridge Road, and which Footway is in the Parish of Paddington.

1. To be deemed in the Parish of St. George Hanover Square.

One Ninth Part in Length (at the Eastern End) of the Carriageway and Channels and of the Footway on the Southern Side of so much of the Uxbridge Road as lies between the Western Boundary of the Parish of St. Marylebone at Tyburn and the Eastern Boundary of the Parish of Paddington where it crosses the Road at Bayswater.

2. To be deemed in the Parish of Paddington.

The remaining Eight Ninth Parts in Length of the Carriageway and Channels and of the Footway on the Southern Side of so much of the Uxbridge Road as lies between the Western Boundary of the Parish of St. Marylebone at Tyburn and the Eastern Boundary of the Parish of Paddington where it crosses the Road at Bayswater.

So much of the Kensington Road, partly in the Parish of St. Mary Abbott Kensington and partly in the Parish of St. Margaret Westminster as extends from the Boundary Line between the Parishes of St. Margaret Westminster and St. Mary Abbott Kensington, where the same abuts on the Northern Side of the High Street Kensington, to the Eastern Boundary of the Parish of St. Mary Abbott Kensington abutting upon the Kensington Road at Hyde Park Terrace Kensington Gore.

1. To be deemed in the Parish of St. Mary Abbott Kensington.

The Carriageway and Channels of so much of the Kensington Road as lies between the Boundary Line between the Parishes of St. Margaret Westminster and St. Mary Abbott Kensington on the Northern Side of the High Street Kensington and the Western Side of the Gloucester Road where the same adjoins the Kensington Road.

2. To be deemed in the Parish of St. Margaret Westminster.

The Carriageway and Channels of so much of the Kensington Road as lies between the Western Side of the Gloucester Road and the Eastern Boundary of the Parish of St. Mary Abbott Kensington at Hyde Park Terrace Kensington Gore.

The THIRD SCHEDULE to which the aforegoing Act refers.

DISTRICTS.

THE FIRST DISTRICT. To be coloured Crimson Lake on the Map referred to in the Thirteenth Section of the aforegoing Act.

The Great Western or Old Brentford Road, from the Western Boundary of Hammersmith Parish to Brentford Bridge.

THE SECOND DISTRICT. To be coloured Orange on the Map.

The Great Western Road, from Brentford Bridge to the Town Hall in Hounslow and the Isleworth Roads, being the Road leading out of the Great Western Road through Sion Lane to the Southern side of Teddington Field in the Road to Kingston Bridge, and the Road called Pound Lane or Lower Wood Lane, leading out of the Great Western Road to Isleworth.

THE THIRD DISTRCT. To be coloured Yellow on the Map.

The Great Western Road, from the Town Hall in Hounslow to Baber Bridge, and the Road from Hounslow to Cranford Bridge.

THE FOURTH DISTRICT. To be coloured Blue Purple on the Map.

The Uxbridge Road, from the Western Boundary of Hammersmith Parish to the Seventh Mile Post on the Uxbridge Road.

THE FIFTH DISTRICT. To be coloured Sepia on the Map.

The Uxbridge Road, from the Seventh to the Eleventh Mile Posts on that Road and Boston Lane.

THE SIXTH DISTRICT. To be coloured Vermillion on the Map.

The Uxbridge Road, from the Eleventh Mile Post thereon to Uxbridge.

THE SEVENTH DISTRICT. To be coloured Emerald Green on the Map.

The Harrow Road, from the Western Side of Kilburn Lane to Harrow.

THE EIGHTH DISTRICT. To be coloured Carmine on the Map.

The Kilburn Road, from the Southern Boundary of Hampstead Parish to the Eighth Mile Post on the Kilburn Road.

THE NINTH DISTRICT. To be coloured Light Blue on the Map.

The Kilburn Road, from the Eighth Mile Post thereon to Sparrows Herne.

THE TENTH DISTRICT. To be coloured Red Purple on the Map.

The Green Lanes Road, from the crossing thereof by the Metropolitan High Level Main Drainage Sewer to Bush Hill, and the Seven Sisters Road, from the Eastern Boundary of Islington Parish to the Stamford Hill Road at Page Green.

THE ELEVENTH DISTRICT. To be coloured Sienna on the Map.

The Stamford Hill Road, from the Northern Boundary of Hackney Parish to the Junction of that Road with the Edmonton and Enfield Road.

THE TWELFTH DISTRICT. To be coloured Blue on the Map.

The Stamford Hill Road, from the Junction of that Road with the Edmonton and Enfield Road to the Boundary of the County of Middlesex, and the Edmonton and Enfield Road from that Junction to Enfield.

THE THIRTEENTH DISTRICT. To be coloured Green on the Map.

The Lea Bridge Road, from the Northern Boundary of Hackney Parish to the Junctions of that Road with the Middlesex and Essex Turnpike Road at Snaresbrook and at Woodford respectively.

The FOURTH SCHEDULE to which the aforegoing Act refers.

TOLLS.

	s.	*d.*
For every Horse, Ass, or other Beast not drawing	*0*	*1*
For every Horse or other Beast (except an Ass) drawing	*0*	*2*
For every Ass drawing	*0*	*1*
For every score of Oxen, Cows, or Neat Cattle (and so in proportion for any greater or less Number)	*0*	*5*
For every Score of Calves, Sheep, Lambs, or Swine (and so in proportion for any greater or less Number)	*0*	*2½*

N.B.—Payment of Toll on any Two of the First, Second, and Third Districts clears the other of those Districts, and Payment of Toll on any Two of the Fourth, Fifth, and Sixth Districts clears the other of those Districts.

The FIFTH SCHEDULE to which the aforegoing Act refers.

Sections of Acts repealed.

Act of 1826.

Sections 37 and 38, relating to Roads which under the Act of 1829 have ceased to be maintainable by the Commissioners.
Section 71, relating to the lighting of Roads.
Sections 72 to 76, both inclusive, relating to the watching of Roads.
Sections 88 and 89, relating to Exemptions from Tolls.
Section 90, relating to Tolls.
Sections 92 and 93 and 94, relating to Over-weight.
Sections 117 and 118, relating to Annuities which have ceased to be payable.

Act of 1829.

Section 15, relating to the Rents of Lyon's Estates.
Section 16, relating to the Rents of Harvist's Estate.
Section 18, relating to Districts for Tolls.
Sections 19 to 31, both inclusive, relating to Tolls.

A

BILL

TO

Amend the Law in certain Cases of Misappropriation by Servants of the Property of their Masters.

WHEREAS the Offence of taking Corn or any other Description of Food by a Servant from the Possession of his Master, without his Authority, for the Purpose of giving the same or of having the same given to the Horses or other Animals of such Master, is by Law a Felony: And whereas it is desirable to alter the Law in this respect: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. If any Servant shall, without the Authority of his Master, take from his Possession any Corn, Pulse, Roots, or any other Description of Food, for the Purpose of giving the same or of having the same given to any Horse or other Animal belonging to or in the Possession of his Master, the Servant so offending shall not by reason thereof be deemed guilty of or be proceeded against for Felony, but shall, on Conviction of such Offence before Two Justices of the Peace, at their Discretion, either be imprisoned, with or without Hard Labour, Servants taking Master's Corn, &c., without Authority, to give to Master's Horses, &c.

for any Term not exceeding *Three* Months, or else shall forfeit and pay such Penalty as shall appear to them to be meet, not exceeding the Sum of *Five Pounds*, and if such Penalty shall not be paid, either immediately after the Conviction, or within such Period as the said Justices shall at the Time of the Conviction appoint, the Servant so offending shall be imprisoned, with or without Hard Labour, for any Term not exceeding *Three* Months, unless such Penalty be sooner paid: Provided that if upon the Hearing of the Charge the said Justices shall be of opinion that the same is too trifling, or that there are Circumstances in the Case which render it inexpedient to inflict any Punishment, they shall have Power to dismiss the Charge, without proceeding to a Conviction.

Appeal.

2. Provided always, That if any Person shall think himself aggrieved by any Conviction under this Act, such Person may appeal to the next Court of General Quarter Sessions of the Peace which shall be holden not less than *Twelve* Days after the Day of such Conviction, for the County, Riding, Division, City, Borough, or Place wherein the Cause of Complaint shall have arisen: Provided also, that such Person shall give to the Informant a Notice in Writing of such Appeal, and of the Cause and Matter thereof, within *Three* Days after such Conviction, and *Seven* clear Days at the least before such Sessions, and shall also either remain in Custody until the said Sessions, or shall enter into a Recognizance, with Two sufficient Sureties, before a Justice of the Peace, conditioned personally to appear at the said Sessions, and to try such Appeal, and to abide the Judgment of the Court thereupon, and to pay such Costs as shall be by the Court awarded, or, if such Appeal shall be against any Conviction whereby only a Penalty, with or without Costs, is adjudged to be paid, shall deposit with the Clerk of the convicting Justices such a Sum of Money as such Justices shall deem to be sufficient to cover the Penalty and Costs, if any, so adjudged to be paid, and the Costs of the Appeal; and upon such Notice being given, and such Recognizance being entered into, or such Deposit being made, the Justices before whom such Recognizance shall be entered into or such Deposit shall be made shall liberate such Person, if in Custody; and the Court at such Sessions shall hear and determine the Matter of the Appeal, and shall make such Order therein, with or without Costs to either Party, as to the Court shall seem meet, and in case of the Affirmance of the Conviction shall order and adjudge the Appellant to be punished according to the Conviction, and to pay such Costs as shall be awarded, and shall, if necessary, issue Process for enforcing such Judgment; and in any Case where after any such Deposit shall have been made as aforesaid the Conviction shall be affirmed the Court

Court may order the Penalty and Costs, if any, thereby adjudged to be paid, together with the Costs of the Appeal, to be paid out of the Money deposited, and the Residue thereof, if any, to be repaid to the Party convicted; and in any Case where after any such Deposit the Conviction shall be quashed, the Court shall order the Money deposited to be repaid to the Party convicted; and in every Case where any Conviction shall be quashed on Appeal as aforesaid, the Clerk of the Peace or other proper Officer of the Court shall forthwith indorse on the Conviction a Memorandum that the same has been quashed; and whenever any Copy or Certificate of such Conviction shall be be made, a Copy of such Memorandum shall be added thereto, and shall be sufficient Evidence that the Conviction has been quashed in every Case where such Copy or Certificate would be sufficient Evidence of such Conviction.

No Certiorary, &c.

3. No such Conviction, or Adjudication made on Appeal therefrom, shall be quashed for Want of Form, or be removed by Certiorari into any of Her Majesty's Superior Courts of Record; and no Warrant of Commitment shall be held void by reason of any Defect therein, provided it be therein alleged that the Party has been convicted, and there be a good and valid Conviction to sustain the same.

Summary Proceedings may be under 11 & 12 Vict. c. 43.

4. Every Offence under this Act may be prosecuted in the Manner directed by the Act of the Session holden in the Eleventh and Twelfth Years of Queen Victoria, Chapter Forty-three, so far as no Provision is hereby made for any Matter or Thing which may be required to be done in the course of such Prosecution; and all Provisions contained in the said Act shall, unless repugnant to any of the Provisions of this Act, be applicable to such Prosecution, in the same Manner as if they were incorporated in this Act: Provided that nothing in this Act contained shall in any Manner alter or affect any Enactments relating to Procedure in the Case of any Offence punishable on summary Conviction within the City of London or the Metropolitan Police District, or the Recovery or Application of any Penalty for any such Offence.

Except in London and the Metropolitan Police District.

Extent of Act.

5. This Act shall extend to England only.

Commencement of Act.

6. This Act shall commence and take effect from the *First Day of September One thousand eight hundred and sixty-three.*

Misappropriation by Servants.

A

BILL

To amend the Law in certain Cases of Misappropriation by Servants of the Property of their Masters.

(*Prepared and brought in by Mr. Staniland, Sir Montague Cholmeley, and Colonel Packe.*)

Ordered, by The House of Commons, *to be Printed,* 9 *June* 1863.

[Bill 156.]

Under 1 *oz.*

26 *June* 1863. 26 & 27 Vict.

A

BILL

[AS AMENDED IN COMMITTEE]

TO

Amend the Law in certain Cases of Misappropriation by Servants of the Property of their Masters.

WHEREAS the Offence of taking Corn or any other Description of Food by a Servant from the Possession of his Master, without his Authority, for the Purpose of giving the same or of having the same given to the Horses or other Animals of such Master, is by Law a Felony: And whereas it is desirable to alter the Law in this respect: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. If any Servant shall, without the Authority of his Master, take from his Possession any Corn, Pulse, Roots, or any other Description of Food, for the Purpose of giving the same or of having the same given to any Horse or other Animal belonging to or in the Possession of his Master, the Servant so offending shall not by reason thereof be deemed guilty of or be proceeded against for Felony, but shall, on Conviction of such Offence before Two Justices of the Peace, at their Discretion, either be imprisoned, with or without Hard Labour, Servants taking Master's Corn, &c., without Authority, to give to Master's Horses, &c.

 for

for any Term not exceeding Three Months, or else shall forfeit and pay such Penalty as shall appear to them to be meet, not exceeding the Sum of Five Pounds, and if such Penalty shall not be paid, either immediately after the Conviction, or within such Period as the said Justices shall at the Time of the Conviction appoint, the Servant so offending shall be imprisoned, with or without Hard Labour, for any Term not exceeding Three Months, unless such Penalty be sooner paid: Provided always, that if upon the Hearing of the Charge the said Justices shall be of opinion that the same is too trifling, or that there are Circumstances in the Case which render it inexpedient to inflict any Punishment, they shall have Power to dismiss the Charge, without proceeding to a Conviction: Provided also, that if upon the Trial of any Servant for feloniously taking from his Master any Corn, Pulse, Roots, or any other Description of Food consumable by Horses or other Animals, such Servant shall allege that he took the same under such Circumstances as would constitute an Offence punishable under this Act, and thereof shall satisfy the Jury charged with his Trial, then it shall be lawful for such Jury to return a Verdict accordingly; and thereupon the Court before which such Trial shall take place shall proceed to award such Punishment against such Servant as may be awarded by Two Justices of the Peace on the Conviction of any Person under the Provisions of this Act: Provided also, that in Case of Nonpayment of any Penalty to be imposed by the Court on such Servant, he shall be imprisoned, with or without Hard Labour, for any Term not exceeding Three Months, as the Court shall order, unless such Penalty be sooner paid.

Appeal.

2. Provided always, That if any Person shall think himself aggrieved by any Conviction under this Act, such Person may appeal to the next Court of General Quarter Sessions of the Peace which shall be holden not less than Twelve Days after the Day of such Conviction, for the County, Riding, Division, City, Borough, or Place wherein the Cause of Complaint shall have arisen: Provided also, that such Person shall give to the Informant a Notice in Writing of such Appeal, and of the Cause and Matter thereof, within Three Days after such Conviction, and Seven clear Days at the least before such Sessions, and shall also either remain in Custody until the said Sessions, or shall enter into a Recognizance, with Two sufficient Sureties, before a Justice of the Peace, conditioned personally to appear at the said Sessions, and to try such Appeal, and to abide the Judgment of the Court thereupon, and to pay such Costs as shall be by the Court awarded, or, if such Appeal shall be against any Conviction whereby only a Penalty, with or without Costs, is adjudged to be paid, shall deposit with the Clerk of the convicting Justices such a Sum of Money as such

such Justices shall deem to be sufficient to cover the Penalty and Costs, if any, so adjudged to be paid, and the Costs of the Appeal; and upon such Notice being given, and such Recognizance being entered into, or such Deposit being made, the Justices before whom such Recognizance shall be entered into or such Deposit shall be made shall liberate such Person, if in Custody; and the Court at such Sessions shall hear and determine the Matter of the Appeal, and shall make such Order therein, with or without Costs to either Party, as to the Court shall seem meet, and in case of the Affirmance of the Conviction shall order and adjudge the Appellant to be punished according to the Conviction, and to pay such Costs as shall be awarded, and shall, if necessary, issue Process for enforcing such Judgment; and in any Case where after any such Deposit shall have been made as aforesaid the Conviction shall be affirmed the Court may order the Penalty and Costs, if any, thereby adjudged to be paid, together with the Costs of the Appeal, to be paid out of the Money deposited, and the Residue thereof, if any, to be repaid to the Party convicted; and in any Case where after any such Deposit the Conviction shall be quashed, the Court shall order the Money deposited to be repaid to the Party convicted; and in every Case where any Conviction shall be quashed on Appeal as aforesaid, the Clerk of the Peace or other proper Officer of the Court shall forthwith indorse on the Conviction a Memorandum that the same has been quashed; and whenever any Copy or Certificate of such Conviction shall be be made, a Copy of such Memorandum shall be added thereto, and shall be sufficient Evidence that the Conviction has been quashed in every Case where such Copy or Certificate would be sufficient Evidence of such Conviction: Provided that the Right of Appeal against any Conviction under this Act shall not apply so as to enable any Person to appeal against any Verdict of a Jury as aforesaid.

No Certiorari, &c.

3. No such Conviction, or Adjudication made on Appeal therefrom, shall be quashed for Want of Form, or be removed by Certiorari into any of Her Majesty's Superior Courts of Record; and no Warrant of Commitment shall be held void by reason of any Defect therein, provided it be therein alleged that the Party has been convicted, and there be a good and valid Conviction to sustain the same.

Summary Proceedings may be under 11 & 12 Vict. c. 43.

4. Every Offence under this Act may be prosecuted and every Conviction under this Act may be enforced in the Manner directed by the Act of the Session holden in the Eleventh and Twelfth Years of Queen Victoria, Chapter Forty-three; and all Provisions contained in the said Act shall, unless repugnant to any of the Provisions of this Act, be applicable to such Prosecution and Conviction, in the same Manner as if they were incorporated in this Act: Provided that nothing

Except in London and the Metropolitan Police District.

nothing in this Act contained shall in any Manner alter or affect any Enactments relating to Procedure in the Case of any Offence punishable on summary Conviction within the City of London or the Metropolitan Police District, or the Recovery or Application of any Penalty for any such Offence.

Extent of Act.

5. This Act shall extend to England only.

Commencement of Act.

6. This Act shall commence and take effect from the First Day of September One thousand eight hundred and sixty-three.

Misappropriation by Servants.

A

B I L L

[AS AMENDED IN COMMITTEE]

To amend the Law in certain Cases of Misappropriation by Servants of the Property of their Masters.

(Prepared and brought in by Mr. Staniland, Sir Montague Cholmeley, and Colonel Packe.)

Ordered, by The House of Commons, *to be Printed,* 26 *June* 1863.

[Bill 193.]

Under 1 *oz.*

LORDS AMENDMENTS

TO THE

MISAPPROPRIATION BY SERVANTS BILL.

Note.—*The Page and Line refer to the Bill* (204.) *as printed by the Lords.*

Page 1.

Line 1. Leave out ("any")

Line 2. Leave out ("Description of")

Line 3. Leave out ("without his Authority") and insert ("contrary to his Orders")

Line 11. Leave out ("without the Authority") and insert ("contrary to the Orders")

Line 12. Leave out the Second ("any")

Lines 12. and 13. Leave out ("Description of")

Page 2.

Line 14. Leave out ("any") and ("Description of")

[Bill 264.]

TO THE

MISAPPROPRIATION BY SERVANTS BILL.

Ordered, by The House of Commons, *to be Printed,*
23 *July* 1863.

[Bill 264.]

Under 1 *oz.*

A

BILL

TO

Amend the Law relating to Municipal Elections.

WHEREAS it is expedient that the Provisions of the Act passed in the Twenty-second Year of the Reign of Her present Majesty, Chapter Thirty-five, should be further extended: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. The Provisions of Sections Five, Six, Seven, and Eight of the said Act shall extend and apply to every Election of an Auditor or Auditors, Assessor or Assessors, after the *passing of this Act*, and the Forms contained in the Schedules to the said Act of the Twenty-second Year of Her Majesty shall be applicable to every such Election, subject to the necessary Alteration of the Word describing the Office in respect whereof the Election is to take place. Provisions of Sections 5, 6, 7, 8 of recited Act to extend to Elections of Auditors and Assessors.

2. This Act may be cited for any Purpose as "The Municipal Corporation Act, 1863." Short Title.

3. This Act shall apply to every City, Borough, and Town Corporate specified in the Schedules to the Act of the Fifth and Sixth Years of the Reign of King William the Fourth, Chapter Extent of Act.

Seventy-six, and to every Municipal Corporation in England and Wales erected after the passing of that Act, and whether erected by Charter under that Act or otherwise, and shall be construed and executed as if its Provisions formed Part of that Act and the Acts from Time to Time in force amending or extending that Act.

15 *June* 1863. 26 Vict.

A

BILL

TO

Repeal the Act of the Twentieth and Twenty-first Years of Her Majesty, Chapter Sixty-six, for punishing Mutiny and Desertion of Officers and Soldiers in the Service of the East India Company, and for regulating in such Service the Payment of Regimental Debts and the Distribution of the Effects of Officers and Soldiers dying in the Service.

Preamble.

WHEREAS it is expedient that the Officers and Soldiers of Her Majesty's European Forces in India should from henceforth be subject to the Provisions of such Acts for the Punishment of Mutiny and Desertion as may from Time to Time be passed for the Government of Her Majesty's General Forces: And whereas Provision has been made in that Behalf in the Act "for punishing Mutiny and Desertion, and for the better Payment of the Army in their Quarters," which has been passed in the present Session of Parliament: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

[Bill 166.]

1. The

Repeal of 20 & 21 Vict. c. 66.

1. The Act passed in the Twentieth and Twenty-first Years of Her Majesty, for punishing Mutiny and Desertion of Officers and Soldiers in the Service of the East India Company, and for regulating in such Service the Payment of Regimental Debts, and the Distribution of the Effects of Officers and Soldiers dying in the Service, is hereby repealed.

Offences against repealed Act, and Articles of War made under it, and all existing Proceedings continued.

2. All Crimes and Offences which shall have been committed against the said Act hereby repealed, or against any of the Articles of War made and established by virtue of the same, may be inquired of and punished in like Manner as if they had been committed against the said Mutiny Act of this present Session, and every Warrant or Order for holding any Court-martial under the said repealed Act shall remain in full force, and all Proceedings of Courts-martial convened and held under any such Warrant or Order shall be still continued: Provided always, that no Person shall be liable to be tried or punished for any Offence against the said repealed Act, or any Articles of War made in pursuance thereof, which shall appear to have been committed more than *Three* Years before the Date of the Warrant or Order for such Trial, unless the Person accused, by reason of his having absented himself, or of some other manifest Impediment, shall not have been amenable to Justice, within that Period, in which Case such Person shall be liable to be tried at any Time not exceeding *Two* Years after the Impediment shall have ceased.

Not to affect Provisions of 7 & 8 Vict. c. 28.

3. Nothing in this Act, or in the said Mutiny Act passed in the present Session of Parliament, shall affect the Provisions of an Act passed in the Seventh Year of Her Majesty, intituled "An Act to "remove Doubts as to the Power of appointing, convening, and con- "firming the Sentences of Courts-martial in the East Indies," and all the Provisions thereof shall remain in force, unless and except they may be in any respect inapplicable.

Commencement of Act.

4. This Act shall commence and take effect from and after the *First Day of February One thousand eight hundred and sixty-five*, or from and after any earlier Day whereon the said Mutiny Act passed in the present Session of Parliament may become and be in full Force in India, and from and after such Day as aforesaid the Articles of War made by Her Majesty in pursuance of the said repealed Act shall cease and determine; provided, nevertheless, that full Effect shall be given to the Provisions herein-before contained respecting the Punishment of Offences against the said repealed Act and otherwise as herein-before is mentioned, and that, so far as may be necessary to give full Effect to such Provisions, the said repealed Act, and the Articles of War made in pursuance of the same, shall be deemed to be in full Force.

5. Nothing

Saving as to Native Indian Officers and Soldiers.

5. Nothing in this Act contained shall in any Manner prejudice or affect any Articles of War or other Matters made, enacted, or in force, or which may hereafter be made, enacted, or in force, under the Authority of the Government of India, respecting Officers or Soldiers or Followers in Her Majesty's Indian Army, being Natives of India.

Mutiny (East India) Act Repeal.

A

BILL

To repeal the Act of the Twentieth and Twenty-first Years of Her Majesty, Chapter Sixty-six, for punishing Mutiny and Desertion of Officers and Soldiers in the Service of the East India Company, and for regulating in such Service the Payment of Regimental Debts and the Distribution of the Effects of Officers and Soldiers dying in the Service.

(*Prepared and brought in by Mr. Baring, Sir Charles Wood, and the Judge Advocate.*)

Ordered, by The House of Commons, *to be Printed,* 15 *June* 1863.

[Bill 166.]

Under 1 *oz.*

6 *March* 1863. 26 Vict.

A

B I L L

INTITULED

An Act to amend the Law relating to the Royal Naval Coast Volunteers.

WHEREAS it is expedient to amend the Law relating to the Royal Naval Coast Volunteers: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. Section Five of the Act of the Session of the Sixteenth and Seventeenth Years of Her Majesty (Chapter Seventy-three), "for "the Establishment of a Body of Naval Coast Volunteers, and "for the temporary Transfer to the Navy, in case of Need, of Sea-"faring Men employed in other Public Services," shall, with respect to every Volunteer raised under that Act who after the passing of this Act enters or re-enters himself as such Volunteer, be read as if the Words "but so that no such Volunteer be taken or sent beyond "One hundred Leagues from the Shore of some Part of the United "Kingdom" were omitted therefrom. 16 & 17 Vict. c. 73. s. 5. repealed in part with respect to future Entries or Re-entries of Naval Coast Volunteers.

27 *April* 1863. 26 Vict.

A

B I L L

TO

Amend The Naval Medical Supplemental Fund Society Winding-up Act, 1861.

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Appointment of new Trustees of Society by First Lord of Admiralty on Vacancies. 24 & 25 Vict. c. 108.

1. Notwithstanding anything in The Naval Medical Supplemental Fund Society Winding-up Act, 1861, contained, from Time to Time, on the Death or Resignation, after the *passing of this Act*, of any One of the Persons referred to in the said Act as the present Trustees of the Naval Medical Supplemental Fund Society, or of any Person appointed a Trustee of the Society as herein-after provided, the Vacancy caused thereby in the Office of Trustee shall be filled up by the Appointment in Writing by the Lord High Admiral or the First Lord Commissioner of the Admiralty Board (as the Case may be) of another Person to be a Trustee of the Society; and immediately on every such Appointment all Stocks and Funds belonging to the Society shall be so transferred as to vest in the Body of Trustees of the Society for the Time being.

2. Section

Repeal of Section 8. of former Act, and Substitution of new Provisions.

2. Section Eight of the said Act shall be repealed, and the following Provision shall take effect in lieu thereof:

The Trustees of the Society for the Time being, on the joint Direction in Writing of the Lord High Admiral or the First Lord of the Admiralty (as the Case may be) and the Secretary to the Admiralty, (such Direction being given, if it seems fit, on the Recommendation in Writing of the Persons for the Time being authorized to carry the said Act into execution, or of any Two or more of them, but not otherwise,) shall, with and out of the General Fund in the said Act mentioned, purchase from Time to Time of and from the Commissioners for the Reduction of the National Debt any such Life Annuities of not less than Twenty-six Pounds Thirteen Shillings and Fourpence each as may be payable out of the Funds of the Society (being the Amount of Annuity now legally payable to the respective Persons entitled thereto), and after providing for all such Annuities as aforesaid shall, on such joint Direction as aforesaid, (such Direction being given, if it seems fit, on such Recommendation as aforesaid, but not otherwise,) when and so soon as the General Fund shall be sufficient for the Purpose, apply the same in the Purchase of and from the said Commissioners, or any Life Assurance Company in London or Westminster which may have been established for *Twenty-five* Years or upwards, such and so many Reversionary Life Annuities as would or might have become payable if the said Act had not been passed.

Construction of Sections 9. and 10. of former Act.

3. Sections Nine and Ten of the said Act shall be construed as if the last foregoing Provision of this Act were substituted in the said Act for Section Eight thereof.

LORDS AMENDMENTS

TO THE

NAVAL MEDICAL SUPPLEMENTAL FUND SOCIETY WINDING-UP ACT, 1861, AMENDMENT BILL.

Note.—*The Page and Line refer to the Bill* (102.) *as printed by the Lords.*

Page 1. Line 13. Leave out ("Commissioner") and leave out ("Board")

At End of Clause 1. add ("and the Persons appointed or chosen "under the said Act shall henceforth be deemed and called the "Managers of the Society, and shall not be deemed or called "Trustees of the Society")

Page 2. Line 7. Leave out ("Persons") and insert ("Managers "of the Society")

Lines 7 and 8. Leave out ("authorized to carry the said "Act into execution")

[Bill 243.]

LORDS AMENDMENTS

TO THE

NAVAL MEDICAL SUPPLEMENTAL FUND SOCIETY WINDING-UP ACT, 1861, AMENDMENT BILL.

Ordered, by The House of Commons, *to be Printed*, 15 *July* 1863.

[Bill 243.]

Under 1 *oz.*

A

BILL

FOR

Facilitating the Distribution of Prize Money, Bounties, and other such Monies to the Navy.

WHEREAS it is desirable that Provisions should be made whereby the Claims of the Officers and Crews of Her Majesty's Ships and Vessels of War to any Prize, Bounty, Salvage, and other Monies which may from Time to Time be payable and distributable to and among them may be more conveniently made and prosecuted, and the Payment and Distribution of such Prize, Bounty, Salvage, and other Monies may consequently be expedited: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. This Act may be cited for all Purposes as "The Naval Prize Money Distribution Act, 1863." Short Title of Act.

2. This Act shall come into operation on the Day of . Commencement of Act.

3. In the Construction of this Act, unless the contrary is expressed or is to be inferred from the Context, Interpretation Clause.

"Her Majesty" shall include Her Majesty, Her Heirs and Successors: "Her Majesty:"

"Lords of Admiralty:" "Lords of the Admiralty" shall mean and include the Lord High Admiral, and also the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of Great Britain and Ireland for the Time being:

"Court of Admiralty:" "Court of Admiralty" shall mean and include the High Court of Admiralty of England, and any Admiralty, Vice Admiralty, or other Court within Her Majesty's Dominions which shall be duly authorized to take cognizance of and judicially to proceed in Matters of Prize:

"Government Accountant:" "Government Accountant" shall mean and include any Officer in charge of Public Money, whether belonging to the Commissariat, Customs, or any other Department who may have been or may be appointed by the Lords of the Treasury or Admiralty:

"Ship and Vessel:" "Her Majesty's Ships and Vessels of War" shall mean and include all Ships and Vessels belonging to Her Majesty, and also any hired Ships or Vessels in Her Majesty's Service:

"Officers and Crew:" "Officers and Crew" shall mean and include all Flag and other Officers, Engineers, Seamen, Marines, Soldiers, and others on board any of Her Majesty's Ships and Vessels of War:

"Captain or Commanding Officer:" "Captain or Commanding Officer" shall mean the Captain or other Officer for the Time being in command of any of Her Majesty's Ships and Vessels of War:

"Ship:" "Ship" shall include all manner of Ships, Vessels, and Boats:

"Goods." "Goods" shall include all Manner of Goods, Merchandise, Monies, and other Personal Property whatever.

Prize. **4.** The Word "Prize" as used in this Act shall mean and include all Ships and Goods which shall have been or shall hereafter be captured or seized by any of Her Majesty's Ships or Vessels of War, or in respect of which the Officers and Crew of such Ship or Vessel of War shall claim to be entitled to the Proceeds, or any Part of the Proceeds, and to have the same paid and distributed to and among them, whether as Prize of War or in pursuance of any Act of Parliament relating to the Revenues of Customs and to Trade and Navigation, or to the Abolition of the Slave Trade, or to the Capture and Destruction of Pirates and piratical Vessels, or any other Ground.

Bounty and other Money. **5.** The Expression "Bounty and other Monies" as used in this Act shall mean all Monies which the Officers and Crew of any of Her Majesty's Ships and Vessels of War shall claim to be entitled to and to have paid and distributed to and among them, as or in respect of any Bounties for the Capture or Destruction of Enemies or Enemies Ships in Time of War, or for Captures or Seizures made under the

Production

Production of any Acts of Parliament relating to the Revenues of Customs and to Trade and Navigation, or to the Abolition of the Slave Trade, or for the Capture and Destruction of Pirates and piratical Vessels, or as or in respect of Salvage, or any like Services performed by such Ship or Vessel of War.

Appointment of Agent.

6. Each of Her Majesty's Ships and Vessels of War shall at all Times after *the Commencement of this Act* have an Agent, to be appointed as herein-after provided, who shall act as herein-after mentioned for such Ship or Vessel and for the Officers and Crew thereof in the making and prosecuting of all Claims in respect of any Prize and of any Bounty and Salvage Monies as above defined, whether as Prize of War or in pursuance of any Act of Parliament relating to the Revenues of Customs and to Trade and Navigation, or to the Abolition of the Slave Trade, or to the Capture and Destruction of Pirates and piratical Vessels, or on any other Ground, and who shall be termed the Agent of such Ship or Vessel.

Agent to be appointed after passing of Act.

7. The several Agents for Her Majesty's Ships and Vessels of War which shall be in Commission at the Time this Act shall come into operation shall be appointed forthwith after that Date, and the Agents for all Ships and Vessels of War of Her Majesty which shall hereafter be placed in Commission shall be appointed as soon as conveniently may be after the same shall respectively be so placed in Commission.

Vacancy of Agent.

8. Whenever a Vacancy shall occur in the Office of Agent to any such Ship or Vessel of War by reason of Death or Retirement of the Agent, or from any other Cause, such Vacancy shall forthwith be filled up by the Appointment of some other Person as Agent to such Ship or Vessel.

Agent to be nominated by Captain.

9. The Agent for each Ship or Vessel of War shall be nominated and appointed by the Captain or Commanding Officer thereof, and every such Appointment shall be made by a Power of Attorney, duly stamped, executed by such Captain or Commanding Officer under his Hand and Seal, and attested by One Witness at the least.

Power to remove Agent.

10. The Captain or Commanding Officer of any Ship or Vessel of War may at any Time remove the Agent for the Time being of such Ship or Vessel from his Office, and may appoint some other Person as Agent in his Stead, and such Revocation and new Appointment shall in like Manner be made by Deed under Seal, duly stamped, executed, and attested as aforesaid: Provided always, that until the Power of Attorney or Deed appointing such new Agent shall have been registered in the High Court of Admiralty in England, as herein-after

mentioned, and also until Notice of such new Appointment shall have been given to Her Majesty's Accountant General, as herein-after provided, the former Agent shall not be deemed to have been removed from his Office and may and shall continue to act as Agent for such Ship or Vessel.

Agent to act until Power revoked.

11. The duly appointed Agent of any Ship or Vessel of War shall continue to be and act as such, notwithstanding any Change of the Captain or Commanding Officer of such Ship or Vessel, unless such new Captain or Commanding Officer shall remove him from his Office as Agent and appoint another in his Stead under the Provisions herein-before contained.

Captain failing to appoint Agent, next Officer to nominate.

12. In case there shall be a Vacancy in the Office of Agent, and the Captain or Commanding Officer of the Ship or Vessel of War shall neglect or fail to appoint an Agent within a reasonable Time after such Vacancy shall have been notified to him, the Officer next in command shall nominate and appoint an Agent for such Ship or Vessel, and such Appointment shall be made in the same Manner, and the Agent so appointed shall have the same Rights and Powers, and shall be subject to the same Provisions, as if he had been appointed by the Captain or Commanding Officer.

No Person holding Office under the Crown to act as Agent.

13. No Person holding any Office, Appointment, or Employment in any of Her Majesty's Services, or under the Crown, shall be appointed or be capable of acting as Agent to any Ship or Vessel of War as aforesaid, and if any Person being at the Time Agent to any such Ship or Vessel shall accept any such Office, Appointment, or Employment in any of Her Majesty's Services, or under the Crown, his Office as Agent shall immediately and ipso facto become vacant.

Agent may act for Two or more Ships.

14. The same Person may be appointed to be and may act as Agent for any Number of Her Majesty's Ships and Vessels.

Agent to register Power of Attorney in Court of Admiralty and give Notice to Accountant General.

Penalty.

15. Every Agent shall, before acting in any respect under the Provisions of this Act, exhibit the Power of Attorney by which he shall have been appointed, and cause the same to be registered in the High Court of Admiralty, and shall also give Notice of his Appointment to Her Majesty's Accountant General; and every Person accepting the Office of Agent, and failing to register as aforesaid within *Two Months* of the signing of the Power of Attorney, if in England, or within *One Year*, if abroad, shall forfeit the Sum of *One hundred Pounds*.

Agent to act for all Claims.

16. The Agent for the Time being of each of Her Majesty's Ships and Vessels of War shall represent and act for such Ship and Vessel and

and for all the Officers and Crew thereof upon all Claims on behalf of such Ship or Vessel or the Officers and Crew thereof to or in respect of any Prize or any Bounty or other such Monies aforesaid.

Agent to take all Proceedings.

17. Such Agent may and shall take all necessary Steps and Proceedings on behalf and in the Name of such Ship or Vessel of War and the Officers and Crew thereof for or towards procuring the Condemnation of such Prize and the Realization of the Proceeds thereof, and for prosecuting and enforcing the Claims of such Ship or Vessel to such Prize or the Proceeds thereof, or to such Bounty or other Monies.

Agent to appoint Appraiser.

18. When any such Claim of Prize as aforesaid shall be made by or on behalf of any of Her Majesty's Ships or Vessels of War, and when an Appraisement is to be made of the Ships or Goods so claimed as Prize, whether before or after Condemnation, such Appraisement shall be made by competent Persons, who shall be appointed for that Purpose by the Agent of such Ship or Vessel, and who shall be sworn to appraise the same according to the best of their Skill and Knowledge; and in case of more than One Ship or Vessel of War being present at such Capture, then the Agent of the Ship having the senior Officer on board shall act as aforesaid.

Agent to exhibit Accounts of Sales, &c.

Penalty.

19. When upon any such Claim of Prize as aforesaid the Ships or Goods so claimed as Prize have been duly condemned by any Court of Admiralty, and when such Ships or Goods are to be sold in pursuance thereof, such Sale shall be made and conducted by competent Persons to be appointed for that Purpose by the Agent of the Ship or Vessel of War claiming such Prize; and such Agent shall exhibit the Accounts of such Sales forthwith to the High Court of Admiralty under a Penalty of *Five hundred Pounds* for Failure.

Proceeds of Sale to be paid to Bank of England.

20. The Proceeds of any such Sale shall not be received or receivable either by the Persons appointed to make and conduct the Sale or by the Agent of such Ship or Vessel of War, but shall be forthwith paid in upon such Sale to the account of Her Majesty's Accountant General at the Bank of England on account of Naval Prize, or into the Hands of some Government Accountant within Her Majesty's Dominions, and all Bounty and other Monies from Time to Time agreed or awarded to be paid shall be in the like Manner paid in to the Account of Her Majesty's Accountant General as aforesaid, or into the Hands of some Government Accountant as aforesaid.

Expenses to be paid out of Proceeds.

21. When the Proceeds of any Ships or Goods upon any such Sale or any such Bounty or other Monies shall have been paid in to the Account of Her Majesty's Accountant General, or into the Hands of

some Government Accountant as aforesaid, the Court of Admiralty which may have condemned such Prize, or awarded such Bounty or other Monies, shall direct the Payment thereout of all Costs, Charges, and Expenses which may be chargeable against the same, or which may have been incurred by the Captors or by the Agent under this Act, after such Costs, Charges, and Expenses shall have been taxed or allowed by the Registrar of such Court or his Deputy.

Costs and Charges.

22. Such Costs, Charges, and Expenses shall include the reasonable and proper Charges and Expenses of and incident to any such Appraisement and Sale as aforesaid respectively, but shall not include any Charge or Allowance whatsoever in respect of any personal Services of the Agent of the Ship or Vessel entitled to such Prize or Bounty or other Monies, and such Agent shall be remunerated for all Labour and Services by him upon or in connexion with any such Claim solely by the Per-centage or Allowance herein-after provided for.

Agent to receive $2\frac{1}{2}$ per Cent.

23. Upon the total Balance of the Proceeds of any such Prize or of any Bounty or other Monies remaining after Payment of such Costs, Charges, and Expenses as before mentioned, an Allowance or Per-centage of *Two Pounds Ten Shillings* per Centum of the Amount of such Balance shall be payable to the Agent of the Ship or Vessel of War entitled to such Prize or Bounty or other Monies as and by way of Remuneration for his Service as such Agent, and such Allowance or Per-centage shall be paid to him accordingly immediately after the Time for appealing shall have expired; and where more than One of Her Majesty's Ships and Vessels of War shall be entitled to participate in such Proceeds or Bounty or other Monies, then the total Amo unt of the Allowance or Per-centage at the Rate aforesaid shall be divided among the several Agents of such Ships and Vessels in the same Proportions as the Ships and Vessels which they respectively represent are entitled to participate in such Proceeds or other Monies, and shall be paid to them respectively accordingly.

Lords of Admiralty to distribute Prize Money, &c.

24. After Payment to the Agent or Agents of such Allowance or Per-centage and all Costs, the Residue of such Proceeds or Bounty or other Monies shall forthwith be distributed by the Lords of the Admiralty to and among the Persons entitled thereto according to their respective Rights and Interests, after the same shall be duly notified in the London Gazette.

No Person except Agent to receive Commission.

25. No Person except the Agent duly appointed as aforesaid shall under any Colour or Pretence receive or participate in any such Allowance or Per-centage or any Commission or other Payment in respect of

of such Agency Business or any Advantage, Emolument, or Benefit therefrom, and every such Agent who shall give to or allow to be taken by any such other Person, and every such other Person who shall receive or participate, either by himself or by any other Person on his Behalf, any such Allowance, Per-centage, Commission, Payment, Advantage, Emolument, or Benefit, shall for every such Offence forfeit and pay the Sum of *One hundred Pounds*, which Sum may be sued for and recovered by Her Majesty's Attorney General in any Court of competent Jurisdiction.

Investment of Prize Money when any Delay in Distribution.

26. Whenever the Proceeds of any Prize or the Amount of any Bounty or other Monies have been paid into the Account of Her Majesty's Accountant General or into the Hands of some Government Accountant as aforesaid, but the same are not immediately distributable, either because an Appeal is pending in respect thereof, or because such Distribution is not to be made until after the Time for appealing has expired, the Court of Admiralty by which such Prize was condemned or such Bounty or other Monies decreed or awarded (as the Case may be) may, on the Application of the Agent of the Ship or Vessel of War claiming to be entitled thereto, direct such Proceeds or other Amount as aforesaid or any Part thereof to be invested in the Public Funds or Stocks of Great Britain and Ireland, or upon such other Securities and in such other Manner as such Court may from Time to Time direct, and any Interest accruing thereon shall from Time to Time be added to the Principal Monies and shall form Part of the Amount to be afterwards paid and distributed.

Penalty on retaining Proceeds.

27. Any Captor or other Person who shall acquire or retain the Proceeds of any Prize, Bounty, Salvage, or other Monies contrary to the Provisions of this Act, except for reasonable Cause to be allowed by the Court of Admiralty, shall pay Interest thereon at the Rate of *One Pound per Centum per Month* for such Time as the same shall be in his Custody or Possession, and such Interest shall be deemed to be Part of such Proceeds, and shall be paid and applied accordingly.

Act not to extend to Seizures made by Officers of Customs.

28. Nothing in this Act contained shall extend or be construed to extend to any Seizure of Ships, Vessels, Goods, or Merchandise made by any Officer or Officers of Customs or of Inland Revenue or Excise, for any Breach of the Laws or Regulations relating to the Customs, Inland Revenue, or Excise, or to Trade and Navigation.

A

BILL

For facilitating the Distribution of Prize Money, Bounties, and other such Monies to the Navy.

(*Prepared and brought in by Sir John Hay, Admiral Duncombe, and Sir James Elphinstone.*)

Ordered, by The House of Commons, *to be Printed*, 1 *June* 1863.

[Bill 147.]

Under 1 *oz.*

A

B I L L

[AS AMENDED IN COMMITTEE]

TO

Provide for the Appointment of Navy Prize Agents, and respecting their Duties and Remuneration.

Preamble.

WHEREAS it is desirable that Provisions should be made for the Appointment of Navy Prize Agents, and respecting their Duties and Remuneration: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title of Act.

1. This Act may be cited for all Purposes as "The Naval Prize Agents Act, 1863."

Commencement of Act.

2. This Act shall come into operation on the Day of

Interpretation Clause.

3. In the Construction of this Act, unless the contrary is expressed or is to be inferred from the Context,

"Her Majesty."

"Her Majesty" shall include Her Majesty, Her Heirs and Successors:

"Lords of Admiralty:" "Lords of the Admiralty" shall mean and include the Lord High Admiral, and also the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of Great Britain and Ireland for the Time being:

"Court of Admiralty:" "Court of Admiralty" shall mean and include the High Court of Admiralty of England, and any Admiralty, Vice Admiralty, or other Court within Her Majesty's Dominions which shall be duly authorized to take cognizance of and judicially to proceed in Matters of Prize:

"Government Accountant:" "Government Accountant" shall mean and include any Officer in charge of Public Money, whether belonging to the Commissariat, Customs, or any other Department who may have been or may be appointed by the Lords of the Treasury or Admiralty, or by One of Her Majesty's Principal Secretaries of State:

"Ship and Vessel:" "Her Majesty's Ships and Vessels of War" shall mean and include all Ships and Vessels belonging to Her Majesty, and also any hired Ships or Vessels in Her Majesty's Service:

"Officers and Crew:" "Officers and Crew" shall mean and include all Flag and other Officers, Engineers, Seamen, Marines, Soldiers, and others on board any of Her Majesty's Ships and Vessels of War:

"Captain or Commanding Officer." "Captain or Commanding Officer" shall mean the Captain or other Officer for the Time being in command of any of Her Majesty's Ships and Vessels of War.

Appointment of Agent. **4.** Each of Her Majesty's Ships and Vessels of War shall at all Times after the Commencement of this Act have an Agent, to be appointed as herein-after provided, who shall at all Times have an Office or Place of Business within Five Miles of the General Post Office, London, and who shall represent and act for such Ship or Vessel and the Officers and Crew thereof as herein-after mentioned.

Agent to be appointed after passing of Act. **5.** The several Agents for Her Majesty's Ships and Vessels of War which shall be in Commission at the Time this Act shall come into operation shall be appointed forthwith after that Date, and the Agents for all Ships and Vessels of War of Her Majesty which shall hereafter be placed in Commission shall be appointed as soon as conveniently may be after the same shall respectively be so placed in Commission.

Vacancy of Agent. **6.** Whenever a Vacancy shall occur in the Office of Agent to any such Ship or Vessel of War by reason of Death or Retirement of the Agent, or from any other Cause, such Vacancy shall forthwith be filled up by the Appointment of some other Person as Agent to such Ship or Vessel.

7. The

Agent to be nominated by Captain.

7. The Agent for each Ship or Vessel of War shall be nominated and appointed by the Captain or Commanding Officer thereof, and every such Appointment shall be made by a Power of Attorney, duly stamped, executed by such Captain or Commanding Officer under his Hand and Seal, and attested by One Witness at the least.

Power to remove Agent.

8. The Captain or Commanding Officer of any Ship or Vessel of War may at any Time remove the Agent for the Time being of such Ship or Vessel from his Office, and may appoint some other Person as Agent in his Stead, and such Revocation and new Appointment shall in like Manner be made by Deed under Seal, duly stamped, executed, and attested as aforesaid: Provided always, that until the Power of Attorney or Deed appointing such new Agent shall have been registered in the High Court of Admiralty in England, as herein-after mentioned, and also until Notice of such new Appointment shall have been given to the Accountant General of the Navy, as herein-after provided, the former Agent shall not be deemed to have been removed from his Office and may and shall continue to act as Agent for such Ship or Vessel.

Agent to act until Power revoked.

9. The duly appointed Agent of any Ship or Vessel of War shall continue to be and act as such, notwithstanding any Change of the Captain or Commanding Officer of such Ship or Vessel, unless such new Captain or Commanding Officer shall remove him from his Office as Agent and appoint another in his Stead under the Provisions herein-before contained.

No Person holding Office under the Crown to act as Agent.

10. No Person holding any Office, Appointment, or Employment in any of Her Majesty's Services, or under the Crown, shall be appointed or be capable of acting as Agent to any Ship or Vessel of War as aforesaid, and if any Person being at the Time Agent to any such Ship or Vessel shall accept any such Office, Appointment, or Employment in any of Her Majesty's Services, or under the Crown, his Office as Agent shall immediately and ipso facto become vacant.

Agent to register Power of Attorney in Court of Admiralty and give Notice to Accountant General.

11. Every Agent shall, before acting in any respect under the Provisions of this Act, exhibit the Power of Attorney by which he shall have been appointed, and cause the same to be registered in the High Court of Admiralty, and shall also give Notice of his Appointment to the Accountant General of the Navy.

Agent to take all Proceedings.

12. Such Agent shall, by himself or by a proper Sub-Agent appointed and remunerated by him, take all Steps and Proceedings that may be necessary or proper to be taken on behalf and in the Name of such Ship or Vessel of War and the Officers and Crew thereof for

or towards procuring the Condemnation of any Prize and the Realization of the Proceeds thereof, and for prosecuting and enforcing the Claims of such Ship or Vessel to such Prize or the Proceeds thereof, or to any Bounty or other Monies: Provided that nothing herein shall deprive any Captain or Commanding Officer of the Right of nominating a Sub-Agent to take such Proceedings in case of the Absence or Default of any such Agent or Sub-Agent.

Agent to appoint Person to sell Ship, and to exhibit Accounts of Sales, &c.

13. When upon any such Claim of Prize as aforesaid the Ships or Goods so claimed as Prize have been duly condemned by any Court of Admiralty, and when such Ships or Goods are to be sold in pursuance thereof, such Sale shall be made and conducted by competent Persons to be appointed for that Purpose by the Claimant or his Agent, conjointly with the Agent of the Ship or Vessel of War claiming such Prize until after the Time of Appeal has expired, and after the Expiration of such Time without Appeal, or after final Condemnation by the Agent for such Ship or Vessel of War; and in case of more than One Ship or Vessel of War being present at such Capture, then by the Agent of the Ship having the senior Officer on board, and such Agent shall exhibit the Accounts of such Sales forthwith to the High Court of Admiralty under a Penalty of Five hundred Pounds for Failure.

Penalty.

Proceeds of Sale to be paid to Bank of England.

14. The Proceeds of any such Sale shall not be received or receivable either by the Persons appointed to make and conduct the Sale or by the Agent of such Ship or Vessel of War, but shall be forthwith paid in upon such Sale to the Account of Her Majesty's Paymaster General at the Bank of England or into the Hands of some Government Accountant authorized to receive the same, and all Bounty and other Monies from Time to Time agreed or awarded to be paid shall be in the like Manner paid in to the Account of Her Majesty's Paymaster General as aforesaid, or into the Hands of some Government Accountant as aforesaid.

Expenses to be paid out of Proceeds.

15. When the Proceeds of any Ships or Goods upon any such Sale, or any such Bounty or other Monies shall have been paid in to the Account of Her Majesty's Paymaster General, or into the Hands of some Government Accountant as aforesaid, the Court of Admiralty which may have condemned such Prize, or awarded such Bounty or other Monies, shall direct the Payment thereout of all Costs, Charges, and Expenses which may be chargeable against the same, or which may have been incurred by the Captors or by the Agent under this Act, after such Costs, Charges, and Expenses shall have been taxed or allowed by the Registrar of such Court or his Deputy.

16. Such

Costs and Charges.

16. Such Costs, Charges, and Expenses shall include the reasonable and proper Charges and Expenses of and incident to any such Sale as aforesaid, but shall not include any Charge or Allowance whatsoever in respect of any Services of the Agent of the Ship or Vessel entitled to such Prize or Bounty or other Monies, and such Agent shall be remunerated for all Labour and Services in connexion with any such Claim solely by the Per-centage or Allowance hereinafter provided for.

Agent to receive 2½ per Cent.

17. Upon the total Balance of the net Proceeds of any such Prize or of any Bounty or other Monies remaining after Payment of such Costs, Charges, and Expenses as are by Law payable thereout, an Allowance or Per-centage of Two Pounds Ten Shillings per Centum of the Amount of such Balance shall be payable to the Agent of the Ship or Vessel of War entitled to such Prize or Bounty or other Monies as and by way of Remuneration for his Service as such Agent, and such Allowance or Per-centage shall be paid to him accordingly immediately after the Time for appealing shall have expired; and where more than One of Her Majesty's Ships and Vessels of War shall be entitled to participate in such Proceeds or Bounty or other Monies, then the total Amount of the Allowance or Per-centage at the Rate aforesaid shall be divided among the several Agents of such Ships and Vessels in the same Proportions as the Ships and Vessels which they respectively represent are entitled to participate in such Proceeds or other Monies, and shall be paid to them respectively accordingly.

Lords of Admiralty to distribute Prize Money, &c.

18. After Payment to the Agent or Agents of such Allowance or Per-centage, the Residue of such Proceeds or Bounty or other Monies shall forthwith be distributed by the Lords of the Admiralty to and among the Persons entitled thereto according to their respective Rights and Interests, after the same shall be duly notified in the London Gazette.

Investment of Prize Money when any Delay in Distribution.

19. Whenever the Proceeds of any Prize or the Amount of any Bounty or other Monies have been paid into the Account of Her Majesty's Paymaster General or into the Hands of some Government Accountant as aforesaid, but the same are not immediately distributable, either because an Appeal is pending in respect thereof, or because such Distribution is not to be made until after the Time for appealing has expired, the Court of Admiralty by which such Prize was condemned or such Bounty or other Monies decreed or awarded (as the Case may be) may, on the conjoint Application of the Appellant or his Agent, with the Agent for the Ship or Vessel of War claiming to be entitled thereto, until the Time of Appeal has expired, or after the Expiration of such Time without Appeal, or after final Condemnation,

tion, on the Application of the Agent of the Ship or Vessel of War claiming to be entitled thereto, direct such Proceeds or other Amount as aforesaid or any Part thereof to be invested in the Public Funds or Stocks of Great Britain and Ireland, or upon such other Securities and in such other Manner as such Court may from Time to Time direct, until such Time as the same shall become distributable, and any Interest accruing thereon shall from Time to Time be added to the Principal Monies and shall form Part of the Amount to be afterwards paid and distributed.

Act not to extend to Seizures made by Officers of Customs.

20. Nothing in this Act contained shall extend or be construed to extend to any Seizure of Ships, Vessels, Goods, or Merchandise made by any Officer or Officers of Customs or of Inland Revenue or Excise, for any Breach of the Laws or Regulations relating to the Customs, Inland Revenue, or Excise, or to Trade and Navigation.

Navy Prize Money, &c.

A

B I L L

[AS AMENDED IN COMMITTEE]

To provide for the Appointment of Navy Prize Agents, and respecting their Duties and Remuneration.

(*Prepared and brought in by Sir John Hay, Admiral Dunconbe, and Sir James Elphinstone.*)

Ordered, by The House of Commons, *to be Printed,* 1 *July* 1863.

[Bill 199.]

Under 1 *oz.*

A

B I L L

[AS AMENDED IN COMMITTEE AND ON RE-COMMITMENT]

TO

Provide for the Appointment of Navy Prize Agents, and respecting their Duties and Remuneration.

WHEREAS it is desirable that Provisions should be made for the Appointment of Navy Prize Agents, and respecting their Duties and Remuneration: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. This Act may be cited for all Purposes as "The Navy Prize Agents Act, 1863." Short Title of Act.

2. This Act shall come into operation on the Day of Commencement of Act.

3. In the Construction of this Act, unless the contrary is expressed or is to be inferred from the Context, Interpretation Clause.

"Her Majesty" shall include Her Majesty, Her Heirs and Successors: "Her Majesty:"

"Lords of Admiralty:" "Lords of the Admiralty" shall mean and include the Lord High Admiral, and also the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of Great Britain and Ireland for the Time being:

"Court of Admiralty:" "Court of Admiralty" shall mean and include the High Court of Admiralty of England, and any Admiralty, Vice Admiralty, or other Court within Her Majesty's Dominions which shall be duly authorized to take cognizance of and judicially to proceed in Matters of Prize:

"Government Accountant:" "Government Accountant" shall mean and include any Officer in charge of Public Money, whether belonging to the Commissariat, Customs, or any other Department who may have been or may be appointed by the Lords of the Treasury or Admiralty, or by One of Her Majesty's Principal Secretaries of State:

"Ship and Vessel:" "Her Majesty's Ships and Vessels of War" shall mean and include all Ships and Vessels belonging to Her Majesty:

"Officers and Crew:" "Officers and Crew" shall mean and include all Flag and other Officers, Engineers, Seamen, Marines, Soldiers, and others on board any of Her Majesty's Ships and Vessels of War:

"Captain or Commanding Officer." "Captain or Commanding Officer" shall mean the Captain or other Officer for the Time being in command of any of Her Majesty's Ships and Vessels of War.

Appointment of Agent. **4.** Each of Her Majesty's Ships and Vessels of War shall at all Times after the Commencement of this Act have an Agent, to be appointed as herein-after provided, who shall at all Times have an Office or Place of Business within Five Miles of the General Post Office, London, and who shall represent and act for such Ship or Vessel and the Officers and Crew thereof as herein-after mentioned.

Agent to be appointed after passing of Act. **5.** The several Agents for Her Majesty's Ships and Vessels of War which shall be in Commission at the Time this Act shall come into operation shall be appointed forthwith after that Date, and the Agents for all Ships and Vessels of War of Her Majesty which shall hereafter be placed in Commission shall be appointed as soon as conveniently may be after the same shall respectively be so placed in Commission.

Vacancy of Agent. **6.** Whenever a Vacancy shall occur in the Office of Agent to any such Ship or Vessel of War by reason of Death or Retirement of the Agent, or from any other Cause, such Vacancy shall forthwith be filled up by the Appointment of some other Person as Agent to such Ship or Vessel.

7. The

Agent to be nominated by Captain.

7. The Agent for each Ship or Vessel of War shall be nominated and appointed by the Captain or Commanding Officer thereof, and every such Appointment shall be made by a Power of Attorney, duly stamped, executed by such Captain or Commanding Officer under his Hand and Seal, and attested by One Witness at the least.

Power to remove Agent.

8. The Captain or Commanding Officer of any Ship or Vessel of War may at any Time remove the Agent for the Time being of such Ship or Vessel from his Office, and may appoint some other Person as Agent in his Stead, and such Revocation and new Appointment shall in like Manner be made by Deed under Seal, duly stamped, executed, and attested as aforesaid: Provided always, that until the Power of Attorney or Deed appointing such new Agent shall have been registered in the High Court of Admiralty in England, as herein-after mentioned, and also until Notice of such new Appointment shall have been given to the Accountant General of the Navy, as herein-after provided, the former Agent shall not be deemed to have been removed from his Office and may and shall continue to act as Agent for such Ship or Vessel.

Agent to act until Power revoked.

9. The duly appointed Agent of any Ship or Vessel of War shall continue to be and act as such, notwithstanding any Change of the Captain or Commanding Officer of such Ship or Vessel, unless such new Captain or Commanding Officer shall remove him from his Office as Agent and appoint another in his Stead under the Provisions hereinbefore contained.

No Person holding Office under the Crown to act as Agent.

10. No Person holding any Office, Appointment, or Employment in any of Her Majesty's Services, or under the Crown, shall be appointed or be capable of acting as Agent to any Ship or Vessel of War as aforesaid, and if any Person being at the Time Agent to any such Ship or Vessel shall accept any such Office, Appointment, or Employment in any of Her Majesty's Services, or under the Crown, his Office as Agent shall immediately and ipso facto become vacant.

Agent to register Power of Attorney in Court of Admiralty and give Notice to Accountant General.

11. Every Agent shall, before acting in any respect under the Provisions of this Act, exhibit the Power of Attorney by which he shall have been appointed, and cause the same to be registered in the High Court of Admiralty, and shall also give Notice of his Appointment to the Accountant General of the Navy.

Agent to take all Proceedings.

12. Such Agent shall, by himself or by a proper Sub-Agent appointed and remunerated by him, take all Steps and Proceedings that may be necessary or proper to be taken on behalf and in the Name of such Ship or Vessel of War and the Officers and Crew thereof for

or towards procuring the Condemnation of any Prize and the Realization of the Proceeds thereof, and for prosecuting and enforcing the Claims of such Ship or Vessel to such Prize or the Proceeds thereof, or to any Bounty or other Monies: Provided that nothing herein shall deprive any Captain or Commanding Officer of the Right of taking such Proceedings in case of the Absence or Default of any such Agent or Sub-Agent.

Agent to appoint Person to sell Ship, and to exhibit Accounts of Sales, &c.

13. When upon any such Claim of Prize as aforesaid the Ships or Goods so claimed as Prize have been duly condemned by any Court of Admiralty, and when such Ships or Goods are to be sold in pursuance thereof, such Sale shall be made and conducted by competent Persons to be appointed for that Purpose by the Claimant or his Agent, conjointly with the Agent of the Ship or Vessel of War claiming such Prize until after the Time of Appeal has expired, and after the Expiration of such Time without Appeal, or after final Condemnation by the Agent for such Ship or Vessel of War; and in case of more than One Ship or Vessel of War being present at such Capture, then by the Agent of the Ship having the senior Officer on board, and such Agent shall exhibit the Accounts of such Sales forthwith to the High Court of Admiralty under a Penalty of Five hundred Pounds for Failure.

Penalty.

Proceeds of Sale to be paid to Bank of England.

14. The Proceeds of any such Sale shall not be received or receivable either by the Persons appointed to make and conduct the Sale or by the Agent of such Ship or Vessel of War, but shall be forthwith paid in upon such Sale to the Account of Her Majesty's Paymaster General at the Bank of England or into the Hands of some Government Accountant authorized to receive the same, and all Bounty and other Monies from Time to Time agreed or awarded to be paid shall be in the like Manner paid in to the Account of Her Majesty's Paymaster General as aforesaid, or into the Hands of some Government Accountant as aforesaid.

Expenses to be paid out of Proceeds.

15. When the Proceeds of any Ships or Goods upon any such Sale, or any such Bounty or other Monies shall have been paid in to the Account of Her Majesty's Paymaster General, or into the Hands of some Government Accountant as aforesaid, the Court of Admiralty which may have condemned such Prize, or awarded such Bounty or other Monies, shall direct the Payment thereout of all Costs, Charges, and Expenses which may be chargeable against the same, or which may have been incurred by the Captors or by the Agent under this Act, after such Costs, Charges, and Expenses shall have been taxed or allowed by the Registrar of such Court or his Deputy.

16. Such

16. Such Costs, Charges, and Expenses shall include the reasonable and proper Charges and Expenses of and incident to any such Sale as aforesaid, but shall not include any Charge or Allowance whatsoever in respect of any Services of the Agent of the Ship or Vessel entitled to such Prize or Bounty or other Monies, and such Agent shall be remunerated for all Labour and Services in connexion with any such Claim solely by the Per-centage or Allowance hereinafter provided for. Costs and Charges.

17. Upon the total Balance of the net Proceeds of any such Prize or of any Bounty or other Monies remaining after Payment of such Costs, Charges, and Expenses as are by Law payable thereout, an Allowance or Per-centage of Two Pounds Ten Shillings per Centum of the Amount of such Balance shall be payable to the Agent of the Ship or Vessel of War entitled to such Prize or Bounty or other Monies as and by way of Remuneration for his Service as such Agent, and such Allowance or Per-centage shall be paid to him accordingly immediately after the Time for appealing shall have expired; and where more than One of Her Majesty's Ships and Vessels of War shall be entitled to participate in such Proceeds or Bounty or other Monies, then the total Amount of the Allowance or Per-centage at the Rate aforesaid shall be divided among the several Agents of such Ships and Vessels in the same Proportions as the Ships and Vessels which they respectively represent are entitled to participate in such Proceeds or other Monies, and shall be paid to them respectively accordingly. Agent to receive $2\frac{1}{2}$ per Cent.

18. After Payment to the Agent or Agents of such Allowance or Per-centage, the Residue of such Proceeds or Bounty or other Monies shall forthwith be distributed by the Lords of the Admiralty to and among the Persons entitled thereto according to their respective Rights and Interests, after the same shall be duly notified in the London Gazette. Lords of Admiralty to distribute Prize Money, &c.

19. Whenever the Proceeds of any Prize or the Amount of any Bounty or other Monies have been paid into the Account of Her Majesty's Paymaster General or into the Hands of some Government Accountant as aforesaid, but the same are not immediately distributable, either because an Appeal is pending in respect thereof, or because such Distribution is not to be made until after the Time for appealing has expired, the Court of Admiralty by which such Prize was condemned or such Bounty or other Monies decreed or awarded (as the Case may be) may, on the conjoint Application of the Claimant or his Agent, with the Agent for the Ship or Vessel of War claiming to be entitled thereto, until the Time of Appeal has expired, or after the Expiration of such Time without Appeal, or after final Condemnation, Investment of Prize Money when any Delay in Distribution.

tion, on the Application of the Agent of the Ship or Vessel of War claiming to be entitled thereto, direct such Proceeds or other Amount as aforesaid or any Part thereof to be invested in the Public Funds or Stocks of Great Britain and Ireland, or upon such other Securities and in such other Manner as such Court may from Time to Time direct, until such Time as the same shall become payable to the Claimant or distributable, and any Interest accruing thereon shall from Time to Time be added to the Principal Monies and shall form Part of the Amount to be afterwards paid or distributed.

CLAUSE A. Officers not entitled to Prize until granted or condemned.

20. Nothing in this Act shall be deemed or construed to entitle the Officers or Crew of any Ship of War to any Prize which shall not have been granted to them by Her Majesty, Her Heirs or Successors, or by the Authority of Parliament; and all the Powers herein-before given to the Agent of any Ship or Vessel of War to take any Steps or Proceedings for or towards the Condemnation of any Prize, and the Realization of the Proceeds thereof, or for prosecuting and enforcing the Claims of such Ship or Vessel to such Prize, or the Proceeds thereof, or for making or conducting the Sales of any Ships or Goods claimed as Prize after Condemnation thereof, pending any Appeal, or before the Expiration of the Time allowed for appealing against such Condemnation, shall be subject to such and the same Control and Authority of Her Majesty and Her Successors in all respects as has been heretofore possessed or exercised by Her Majesty or any of Her Royal Predecessors in Cases of Prize depending in the High Court of Admiralty.

Act not to extend to Seizures made by Officers of Customs.

21. Nothing in this Act contained shall extend or be construed to extend to any Seizure of Ships, Vessels, Goods, or Merchandise made by any Officer or Officers of Customs or of Inland Revenue or Excise, for any Breach of the Laws or Regulations relating to the Customs, Inland Revenue, or Excise, or to Trade and Navigation.

LORDS AMENDMENTS

TO THE

NAVY PRIZE AGENTS BILL.

Note.—*The Page and Line refer to the Bill* (210.) *as first printed by the Lords.*

Page 4.

Leave out Clauses 13 and 14.

Line 32. Leave out ("such")

Line 33. Leave out ("such")

Line 35. Leave out "as aforesaid")

[Bill 274.]

LORDS AMENDMENTS

TO THE

NAVY PRIZE AGENTS BILL.

Ordered, by The House of Commons, *to be Printed,*
24 *July* 1863.

[Bill 274.]

Under 1 *oz.*

A

BILL

INTITULED

An Act to alter the Boundaries of New Zealand.

Preamble.

WHEREAS by the Eightieth Section of an Act of the Fifteenth Year of Her Majesty, Chapter Seventy-two, intituled "An Act to grant a Representative Constitution "to the Colony of New Zealand," it was provided, that for the Purposes of that Act the said Colony should be held to include the Territories therein mentioned: And whereas it is expedient to alter the Limits of the said Colony as declared by the said Act: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

So much of 15 & 16 Vict. c. 72. s. 80. as declares Limits of Colony, repealed.

1. So much of the Eightieth Section of the aforesaid Act of Parliament as declares the Limits of the Colony of New Zealand for the Purposes of the said Act is repealed.

What shall be deemed the Limits of the Colony.

2. The Colony of New Zealand shall for the Purposes of the said Act and for all other Purposes whatever be deemed to comprise

comprise all Territories, Islands, and Countries lying between the One hundred and sixty-second Degree of East Longitude and the One hundred and seventy-third Degree of West Longitude, and between the Thirty-third and Fifty-third Parallels of South Latitude.

A

BILL

FOR

Confirming a Scheme of the Charity Commissioners for the Management of the Charity called "The Hospital of Saint Mary Magdalen at Newcastle-upon-Tyne, in the County of Northumberland."

WHEREAS the Charity Commissioners for England and Wales, in their Report to Her Majesty of their Proceedings during the Year One thousand eight hundred and sixty-two, have reported that they have provisionally approved and certified (among other Schemes for the Application and Management of Charities) a Scheme for "The Hospital of Saint Mary Magdalen at Newcastle-upon-Tyne in the County of Northumberland," and such Scheme is set out in the Appendix to their said Report: And whereas it is expedient that the said Scheme, as the same is set out in the Schedule to this Act, should be confirmed: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preamble. 10th Report, dated 27th February 1863.

Scheme confirmed.

1. The said Scheme shall be confirmed and take effect.

SCHEDULE.

SCHEME for the APPLICATION and MANAGEMENT of the CHARITY called the HOSPITAL of ST. MARY MAGDALEN at NEWCASTLE-ON-TYNE in the county of NORTHUMBERLAND.

1. The existing incorporation of the Master and Brethren of the Hospital of St. Mary Magdalen at Newcastle-on-Tyne, by whatever name they are incorporated, shall be dissolved, and their several offices and places shall be abolished on and from the *second day of February One thousand eight hundred and sixty-four*, or upon any avoidance which may happen the mastership of the hopital. Immediately upon such dissolution this Scheme shall come into operation.

2. The management of the Charity and of all the possessions thereof, according to this scheme, shall be thenceforth vested in the municipal corporation of the town of Newcastle-upon-Tyne, the present patrons of the hospital, and herein-after called the managers; and all the real estate of the said hospital, or of which the master and brethren thereof have the seisin or enjoyment, and all the personal estate thereof, including all choses in action due thereto, and a right to recover the same, shall be thenceforth vested in the managers for the purposes of this scheme, for all the same estates or interests therein respectively as are vested in the said master and brethren.

3. Any income of the Charity which shall have become due but shall not have been received when this Scheme shall come into operation shall be held by the managers, upon their receipt thereof, subject to any unsatisfied liabilities of the said master and brethren properly chargeable thereon, upon trust for the master and brethren who would have been entitled thereto if their corporation were still subsisting, and in the like proportions among themselves; and all such income which shall be then accruing, but shall not have become payable, shall be justly apportioned by the managers, upon their receipt thereof, between themselves, for the purposes of this Scheme, and the last master and brethren of the hospital, in like manner, and subject to such unsatisfied liabilities as aforesaid, if any. If any difference shall arise respecting such apportionment, the matter of such difference shall be referred to the Charity Commissioners for England and Wales for their determination, to be declared under their official seal, which determination shall be conclusive on all parties.

4. The chapel of St. Thomas, at or near Barras Bridge in the town of Newcastle-on-Tyne, annexed to the said hospital, shall continue to be maintained and used for the celebration of divine service therein according to the doctrines and liturgy of the Church of England; and the open ground about the same, belonging to the said Charity, shall not be built upon, except for such special purposes (if any) in connexion with the said chapel as, upon the application of the managers, shall be approved by the said Commissioners under their official seal.

5. The minister of the said chapel shall be styled the Master of the Chapel of St. Thomas, and shall be always a graduate of some university in England or Ireland in holy orders. The office of such master shall not be tenable by any

any person, other than the present master of the hospital, with any ecclesiastical benefice having a cure of souls annexed thereto, which shall be accepted by him after his appointment, or which, if held by him at the time of his appointment, shall not be effectually relinquished by him within six calendar months next thereafter. The office of any master who shall accept or retain any ecclesiastical benefice contrary to the foregoing provision shall thereupon become void. It shall be lawful also for the managers to avoid the office of any master who, before the assignment of any ecclesiastical district to the said chapel, and without reasonable cause, to be approved by them, shall be ordinarily resident, after the lapse of six calendar months from the date of his appointment or accession to the office, beyond the distance of four miles from the said chapel, or shall fail without sufficient cause, to be approved by them, to discharge effectually the duties of his office, or, in the case of the present master of the hospital, to provide for their performance.

6. The present master of the hospital shall be entitled to retain the office of master of the chapel, or to become the first master thereof under this Scheme, and to receive the emoluments hereby provided for such master.

7. The master shall be paid by the managers, out of the income of the Charity, the yearly stipend of *five hundred pounds*, by equal half-yearly portions, to be computed from the commencement of this Scheme; and upon any avoidance of the office before or in the interval between any of the half-yearly days on which the said stipend shall be payable, the accruing half-yearly portion thereof shall be apportioned by the managers between the last master, according to the time during which he shall have held the office, and the succeeding master.

8. An ecclesiastical district with cure of souls may be assigned to the said chapel of which the master shall become or be the incumbent, but so that any such assignment made while the present master of the hospital shall be master of the chapel shall be made only with his consent, or subject and without prejudice to his tenure and rights in respect of such office.

9. The fee simple of the advowson of the said chapel, after any such assignment, shall be vested in the managers, but shall be sold by them, under the direction of the Charity Commissioners for England and Wales, and the clear produce of such sale shall constitute part of the principal endowments of the Charity governed by this Scheme, applicable to the general purposes thereof, and shall be invested as herein-after provided in trust for the said Charity accordingly.

10. The appointment of the master of the chapel before any such assignment as aforesaid shall belong to the managers, who, upon every avoidance of the office, shall proceed, as soon as conveniently may be, to appoint a fit and duly qualified person to fill the vacancy. They shall also make effectual provision for the continuance of the accustomed services of the chapel during the vacancy of the mastership, and shall be entitled to retain the expenses to be thereby incurred by them out of the stipend to become payable to the succeeding master. Upon any omission of the managers to appoint a new master within six calendar months next after any avoidance of the mastership the right to appoint the master shall devolve from them for that turn to the bishop of the diocese.

11. Until any such new district shall be constituted the managers shall have the same power of making salutary statutes and ordinances concerning the

divine services to be performed in the said chapel, or in relation to such services and chapel, as was reserved to the mayor and common council of the town of Newcastle-upon-Tyne by an Act of Parliament relating to the said hospital passed in the seventh and eighth years of the reign of King George the Fourth.

12. Three chapelwardens shall be annually elected by the votes of all or a majority of the renters of pews in the chapel, assembled thereat at the hour of one in the afternoon of the Wednesday in Easter week in every year, and shall continue in office until the election of their successors. The chapelwardens shall have the general superintendence and management of the chapel, and shall appoint or employ, and shall have power to remove, the several officers, servants, or other persons required for the proper conduct of the services, or for the care and management of the chapel, and to assign to them their reasonable salaries or wages. They shall also have authority, subject to a control by the managers, if and when they shall think fit to intervene for this purpose, to fix the scale at which the pews in the chapel shall from time to time be let, and to let the same accordingly for any yearly or shorter periods. All such pew rents shall be due and payable to them in advance for the purposes hereafter declared thereof, and shall be recoverable by them, if occasion shall be, by their suit in the County Court of the district. Provided always, that not less than four hundred sittings in the chapel shall be kept free for the poor, exempt from the payment of any rent for the use thereof.

13. The pew rents shall be applicable in the hands of the chapelwardens to the following purposes; that is to say, to the payment of the salaries or wages of the several officers, servants, or other persons engaged in the conduct of the services of the chapel, or employed in or about the care and management thereof, and the current expenses of properly cleansing, lighting, warming, and managing the same, and in the next place to the insurance of the said chapel against loss or damage by fire, to the full estimated value thereof, or to such an amount as shall from time to time be directed by the managers, and to the necessary repair thereof, and of its fittings or furniture, and to the fencing and care of the open ground about the same attached thereto. The surplus of such pew rents in each year, after making a reasonable reserve for the purposes aforesaid, shall be applied in manner following; that is to say, *one moiety* of such surplus, if the whole shall not exceed fifty pounds, or otherwise the sum of *twenty-five pounds* part of such surplus, shall be applied to the constitution and maintenance of a repair fund of *one thousand pounds*, to be invested and accumulated in the public funds in the names of four trustees (to be appointed and from time to time renewed by the managers) in the public funds, which shall be used only for discharging the cost of any extraordinary repairs or improvements of the said chapel exceeding the sum of *one thousand pounds*, in any one year, and the residue of the said pew rents together with the income arising from the said accumulated fund, when the same shall amount to *one thousand pounds*, shall be paid to the master for his use. If the pew rents and the repair fund shall at any time be insufficient for the necessary repair of the chapel, the deficiency shall be provided by the managers out of the general income of the Charity.

14. The managers shall further apply out of the income of the said Charity the yearly sum of *fifty pounds*, towards the support of the schools already established in connexion with the said chapel, by paying such sum to the Trustees

Trustees or managers of such schools for the time being, for the purpose thereof, provided that no children whose parents or next friends shall claim for them in writing this exemption shall be required compulsorily to learn the Catechism or any peculiar doctrines, or to attend the services of the Established Church, which exemption shall be a condition of the payment of the sum of *fifty pounds*. The fee simple of the buildings now used for the purposes of the said school, and of sufficient ground adjoining or near thereto, for the site of an infant's school, to be appropriated to this purpose by the managers, and of the three messuages or cottages numbered respectively 24, 25, 26, in Vine Lane, convenient for the residences of the master and mistress of the said schools, or for the general purpooses thereof, shall be held by the managers in trust only for the benefit of the said schools, as the Trustees or managers thereof shall from time to time diect.

15. The managers shall next apply the yearly sum of *five hundred pounds* out of the income of the Charity by equal half-yearly portions, to be computed from the commencement of this Scheme, to the endowment and maintenance of a hospital for poor freemen of the borough of Newcastle-on-Tyne, to be called the Hospital of St. Mary Magdalen, and they shall, as soon as conveniently may be, and as the funds available to them for this purpose shall be sufficient, proceed either to purchase and fit up any existing and sufficient building for the objects of such hospital, or to erect such an hospital on some convenient site in or near to the said borough, which may be either appropriated to that object from the estates of the charity, or may be otherwise purchased or acquired by them, but so that every such purchase or erection shall be made upon such terms, and according to such plans, and at such cost, as shall have been approved for this purpose by the Charity Commissioners for England and Wales. The managers may take and hold any such building or site without licence in mortmain. They may also temporarily hire or employ any fit building for the purposes of such hospital, or make any temporary provision for the reception and accommodation of the intended members thereof in any existing building or institution.

16. The managers may, with the like approval of the said Commissioners, raise upon the security of the last-mentioned yearly sum of *five hundred pounds* any funds required for the purchase, erection, or fitting up of such Hospital as aforesaid, so that the monies to be so borrowed shall be paid off within *thirty* years at the furthest from the borrowing thereof by equal yearly instalments of the amount thereof, or by means of a sinking fund to be created by the appropriation thereto of like instalments, and so that the interest of the debt shall be kept down in the meantime from the said annual fund.

17. The inmates of such hospital shall be called the brethren thereof, and shall be respectable poor freemen of the said borough to be appointed by the managers, being of the age of *sixty* years or upwards at the time of their appointment, and chosen, as far as conveniently may be, from among those whose circumstances or condition shall have been reduced by calamity or causes beyond their own control. They shall be *sixteen* in number when the income of the Charity shall be sufficient to provide them with the allowances herein-after prescribed, after the payment of all out-goings incident to the maintenance, management, and government of this branch of the Charity, and after making any fit reserves for such purposes, or they may be reduced

in number temporarily, or from time to time, as the income for the time being available for their benefit may require.

18. The brethren shall be constantly resident in the hospital, and shall receive in money and allowances, at the discretion of the managers, the weekly amount of *ten* shillings therein for their support. The managers may also from time to time employ as they may think fit a nurse or matron at any reasonable salary, for the better promotion, under their orders, of the comfort or well-being of the brethren, and the cleanliness, order, and good regulation of the hospital.

19. The brethren shall conform and be obedient to such regulations as shall from tine to time be made by the managers for the government of the hospital and its inmates, and the tenure of the places of the brethren may be made by any such regulations to be conditional on such conformity and obedience.

20. The managers nevertheless shall pay to each of the brethren of the existing hospital appointed by the present master a sum of not less than *twenty shillings* per week, or exceeding *one hundred pounds* by the year, for the term of his life, out of the said yearly sum of *five hundred pounds*, and to any brother of the existing hospital, if such there be, appointed by any former master thereof, an annuity for his life equal to the amount of his average yearly receipts, from the rents and yearly income thereof, during the three years immediately preceding the commencement of this scheme, and these payments shall be first charges on the last-mentioned yearly sum of *five hundred pounds*.

21. All the net surplus income of the Charity which shall from time to time arise from the endowments thereof, and which shall not be applicable to the foregoing purposes, or any of them, shall be applied by the managers in aid of such established medical institutions in the borough of Newcastle-upon-Tyne for the relief and benefit of the poor as they shall think most in need of such aid, and to the promotion whereof they shall consider that such income may be most beneficially applied, or, with the approval of the said Commissioners, to the establishment, endowment, or aid of any other medical institution or institutions for the benefit of the sick poor of Newcastle-upon-Tyne and its vicinity, or to which access shall be secured to such poor, whether having the general objects of infirmaries, or hospitals for the sick, or designed for the relief of any particular classes of diseases or bodily suffering, or for the advancement of convalescence from disease or bodily suffering, or kindred objects, and they may capitalize or accumulate such net surplus income for any time which shall be approved by the said Commissioners for carrying any of the last-mentioned objects into better effect.

22. The managers may also, with the approval of the said Commissioners apply any capital funds of the Charity, or any accumulations to be made for this purpose of the income thereof, in or towards the foundation or establishment of any such institution or institutions as aforesaid, which shall in their judgment be most needed for and beneficial to such poor.

23. All funds to be invested otherwise than in land or buildings for any general purposes of this scheme shall be invested either in the name of the official Trustees of Charitable funds, with the warrant of the said Commissioners, or in the names of such of the said managers as a Stock Committee as shall have been submitted to and approved for this purpose by the said Commissioners.

24. The

24. The Commissioners shall be empowered, upon the application of the managers, to advise them upon the construction of any part of this scheme which shall be found open to any question or ambiguity, and the scheme shall thenceforth operate according to the construction to be so applied to it.

25. The Charity hereby established shall also be subject to the same general laws and jurisdiction applicable to endowed charities as if the same had been originally established for the purposes of this scheme by the founder thereof.

Newcastle-upon-Tyne (Saint Mary Magdalen Hospital).

A

BILL

For confirming a Scheme of the Charity Commissioners for the Management of the Charity called "The Hospital of Saint Mary Magdalen at Newcastle-upon-Tyne in the County of Northumberland."

(*Prepared and brought in by Mr. Lowe and Mr. Bruce.*)

Ordered, by The House of Commons, *to be Printed*, 11 *June* 1863.

[Bill 162.]

Under 1 *oz.*

A

BILL

TO

Amend the Nuisances Removal Act for England, 1855, with respect to the Seizure of diseased and unwholesome Meat.

Preamble.

WHEREAS the Provisions of "The Nuisances Removal Act for England, 1855," with regard to the Inspection and Seizure of diseased and unwholesome Meat are defective; and it is therefore expedient that the same should be repealed, and that other and more effectual Provisions in that Behalf should be substituted therefore: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Twenty-sixth Section of recited Act repealed.

1. From and after the *passing of this Act* the Twenty-sixth Section of the said Act is repealed.

Sanitary Inspector may inspect Meat, &c.

2. The Sanitary Inspector may at all Times inspect and examine any Carcase, Meat, Poultry, Game, Flesh, Fish, Fruit, Vegetables, Corn, Bread, or Flour exposed for Sale, or in the course of or on their Way to slaughtering, dressing, or Preparation for Sale or Use, or landed from any Ship or Vessel in any Port in England, or deposited or placed in any Slaughter-house, Shop, Building, Market, or Place whatsoever;

whatsoever; and in case any such Carcase, Meat, Poultry, Game, Flesh, Fish, Fruit, Vegetables, Corn, Bread, or Flour appear to him to be diseased, or unsound, or unwholesome, or unfit for the Food of Man, it shall be lawful for such Inspector to seize, take, and carry away, or direct the same to be seized, taken, or carried away by any Officer, Servant, or Assistant, and to bring or cause the same to be brought before a Justice; and if it shall appear to the Justice that any of the said Articles so brought before him is diseased, or unsound, or unwholesome, or unfit for the Food of Man, he shall order the same to be destroyed or so disposed of as to prevent its being exposed for Sale or used for such Food; and in case any Person shall obstruct, or prevent, or in any Manner impede any such Inspector or his Assistant from entering any such Slaughter-house, Shop, Building, Market, or other Place where such Carcase, Meat, Poultry, Game, Flesh, Fish, Fruit, Vegetables, Corn, Bread, or Flour is kept or placed, or shall obstruct, or hinder, or prevent such Inspector or his Assistant from carrying the Provisions of this Act into execution, he shall be liable to a Penalty not exceeding *Five Pounds*; and the Person to whom such Carcase, Meat, Poultry, Game, Flesh, Fish, Fruit, Vegetables, Corn, Bread, or Flour belongs, or in whose Custody the same is found, shall be liable to a Penalty not exceeding *Ten Pounds* for every Carcase, Fish, or Piece of Meat, Flesh, or Fish, or any Poultry or Game, or for the Parcel of Fruit, Vegetables, Corn, Bread, or Flour so found, or to Imprisonment in the Common Gaol or House of Correction for a Term of not more than *Three* Calendar Months.

This Act and Nuisances Removal Act, 1855, to be read together as One Act.

3. This Act and "The Nuisances Removal Act for England, 1855," shall be read and construed together as One Act.

Short Title of Act.

4. This Act may be cited for all Purposes as "The Nuisances Removal Act for England (Amendment) Act, 1863."

A

B I L L

[AS AMENDED IN COMMITTEE]

TO

Amend the Nuisances Removal Act for England, 1855, with respect to the Seizure of diseased and unwholesome Meat.

WHEREAS the Provisions of "The Nuisances Removal Act for England, 1855," with regard to the Inspection and Seizure of diseased and unwholesome Meat are defective; and it is therefore expedient that the same should be repealed, and that other and more effectual Provisions in that Behalf should be substituted therefor: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. From and after the passing of this Act the Twenty-sixth Section of the said Act is repealed. Twenty-sixth Section of recited Act repealed.

2. The Medical Officer of Health, Sanitary Inspector, or Inspector of Nuisances may at all Times inspect and examine any Carcase, Meat, Poultry, Game, Flesh, Fish, Fruit, Vegetables, Corn, Bread, or Flour exposed for Sale, or in the Possession of any Person, or being conveyed in any Manner whatsoever and intended for the Food of Man, the Proof that the same was not intended for the Food of Man Medical Officer of Health, Sanitary Inspector, or Inspector of Nuisances may inspect Meat, &c.

Man resting with the Party accused; and in case any such Carcase, Meat, Poultry, Game, Flesh, Fish, Fruit, Vegetables, Corn, Bread, or Flour appear to him to be diseased, or unsound, or unwholesome, or unfit for the Food of Man, it shall be lawful for such Medical Officer of Health, Sanitary Inspector, or Inspector of Nuisances to seize, take, and carry away, or direct the same to be seized, taken, or carried away by any Officer, Servant, or Assistant, and to bring or cause the same to be brought before a Justice; and if it shall appear to the Justice that any of the said Articles so brought before him is diseased, or unsound, or unwholesome, or unfit for the Food of Man, he shall order the same to be destroyed or so disposed of as to prevent its being exposed for Sale or used for such Food; and in case any Person shall obstruct, or prevent, or in any Manner impede any such Inspector or his Assistant from entering any such Slaughter-house, Shop, Building, Market, or other Place where such Carcase, Meat, Poultry, Game, Flesh, Fish, Fruit, Vegetables, Corn, Bread, or Flour is kept or placed, or shall obstruct, or hinder, or prevent such Inspector or his Assistant from carrying the Provisions of this Act into execution, he shall be liable to a Penalty not exceeding Five Pounds; and the Person to whom such Carcase, Meat, Poultry, Game, Flesh, Fish, Fruit, Vegetables, Corn, Bread, or Flour belongs or did belong at the Time of Sale, or in whose Possession or on whose Premises the same is found, shall upon Conviction be liable to a Penalty not exceeding Twenty Pounds for every Carcase, Fish, or Piece of Meat, Flesh, or Fish, or any Poultry or Game, or for the Parcel of Fruit, Vegetables, Corn, Bread, or Flour so found, or at the Discretion of the Justice without the Infliction of Fine, to Imprisonment in the Common Gaol or House of Correction for a Term of not more than Six Calendar Months.

This Act and Nuisances Removal Act, 1855, to be read together as One Act.

3. This Act and "The Nuisances Removal Act for England, 1855," shall be read and construed together as One Act.

Short Title of Act.

4. This Act may be cited for all Purposes as "The Nuisances Removal Act for England (Amendment) Act, 1863."

A

B I L L

[AS AMENDED IN COMMITTEE AND ON RE-COMMITMENT]

TO

Amend the Nuisances Removal Act for England, 1855, with respect to the Seizure of diseased and unwholesome Meat.

WHEREAS the Provisions of "The Nuisances Removal Act for England, 1855," with regard to the Inspection and Seizure of diseased and unwholesome Meat are defective; and it is therefore expedient that the same should be repealed, and that other and more effectual Provisions in that Behalf should be substituted therefor: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. From and after the passing of this Act the Twenty-sixth Section of the said Act is repealed. Twenty-sixth Section of recited Act repealed.

2. The Medical Officer of Health, Sanitary Inspector, or Inspector of Nuisances may at all Times inspect and examine any Animal, Carcase, Meat, Poultry, Game, Flesh, Fish, Fruit, Vegetables, Corn, Bread, or Flour exposed for Sale, or being conveyed in any Manner whatsoever to any Place for the Purpose of Sale, and intended for the Food of Man, the Proof that the same was not conveyed for the Medical Officer of Health, Sanitary Inspector, or Inspector of Nuisances may inspect any Animal, &c.

Purpose of Sale, or intended for the Food of Man, resting with the Party accused; and in case any such Animal, Carcase, Meat, Poultry, Game, Flesh, Fish, Fruit, Vegetables, Corn, Bread, or Flour appear to him to be diseased, or unsound, or unwholesome, or unfit for the Food of Man, it shall be lawful for such Medical Officer of Health, Sanitary Inspector, or Inspector of Nuisances to seize, take, and carry away, or direct the same to be seized, taken, or carried away by any Officer, Servant, or Assistant, and to bring or cause the same to be brought before a Justice; and if it shall appear to the Justice that any such Animal or any of the said Articles so brought before him is diseased, or unsound, or unwholesome, or unfit for the Food of Man, he shall order the same to be destroyed or so disposed of as to prevent such Animal or Articles being exposed for Sale or used for such Food; and in case any Person shall obstruct, or prevent, or in any Manner impede any such Inspector or his Assistant from entering any such Slaughter-house, Shop, Building, Market, or other Place where such Animal, Carcase, Meat, Poultry, Game, Flesh, Fish, Fruit, Vegetables, Corn, Bread, or Flour is kept or placed for the Purpose of Sale, or shall obstruct, or hinder, or prevent such Inspector or his Assistant from carrying the Provisions of this Act into execution, he shall be liable to a Penalty not exceeding Five Pounds; and the Person to whom such Animal, Carcase, Meat, Poultry, Game, Flesh, Fish, Fruit, Vegetables, Corn, Bread, or Flour belongs or did belong at the Time of Sale, or in whose Possession or on whose Premises the same is found, shall upon Conviction be liable to a Penalty not exceeding Twenty Pounds for every Animal, Carcase, Fish, or Piece of Meat, Flesh, or Fish, or any Poultry or Game, or for the Parcel of Fruit, Vegetables, Corn, Bread, or Flour so found, or at the Discretion of the Justice, without the Infliction of Fine, to Imprisonment in the Common Gaol or House of Correction for a Term of not more than Six Calendar Months.

This Act and Nuisances Removal Act, 1855, to be read together as One Act.

3. This Act and "The Nuisances Removal Act for England, 1855," shall be read and construed together as One Act.

Short Title of Act.

4. This Act may be cited for all Purposes as "The Nuisances Removal Act for England (Amendment) Act, 1863."

LORDS AMENDMENTS

TO THE

NUISANCES REMOVAL ACT (1855) AMENDMENT BILL.

Leave out Clause 2, and insert Clauses A. and B.

Medical Officer of Health or Inspector of Nuisances may inspect any Animal, &c.

Clause A. The Medical Officer of Health or Inspector of Nuisances may at all reasonable Times inspect and examine any Animal, Carcase, Meat, Poultry, Game, Flesh, Fish, Fruit, Vegetables, Corn, Bread, or Flour exposed for Sale, or deposited in, any Place for the Purpose of Sale or of Preparation for Sale, and intended for the Food of Man, the Proof that the same was not exposed or deposited for such Purpose or Purposes, or was not intended for the Food of Man, resting with the Party charged; and in case any such Animal, Carcase, Meat, Poultry, Game, Flesh, Fish, Fruit, Vegetables, Corn, Bread, or Flour appear to him to be diseased, or unsound, or unwholesome, or unfit for the Food of Man, it shall be lawful for such Medical Officer of Health or Inspector of Nuisances to seize, take, and carry away the same, or direct the same to be seized, taken, and carried away by any Officer, Servant, or Assistant, in order to have the same dealt with by a Justice; and if it shall appear to the Justice that any such Animal, or any of the said Articles, is diseased, or unsound or unwholesome, or unfit for the Food of Man, he shall order the same to be destroyed, or so disposed of as to prevent such Animal or Articles from being exposed for Sale or used for such Food; and the Person to whom such Animal, Carcase, Meat, Poultry, Game, Flesh, Fish, Fruit, Vegetables, Corn, Bread, or Flour belongs or did belong at the Time of Sale or of Exposure for Sale, or in whose Possession or on whose Premises the same is found, shall, upon Conviction, be liable to a Penalty not exceeding Twenty Pounds for every Animal, Carcase, or Fish, or Piece of Meat, Flesh, or Fish, or any Poultry or Game, or for the Parcel of Fruit, Vegetables, Corn, Bread, or Flour so found, or, at the Discretion of the Justice, without the Infliction of a Fine, to Imprisonment in the Common Gaol or House of Correction for a Term of not more than Three Calendar Months.

Penalty for obstructing Medical Officer of Health, &c.

CLAUSE B. In case any Person shall in any Manner prevent such Medical Officer of Health or Inspector of Nuisances from entering any Slaughter-house, Shop, Building, Market, or other Place where such Animal, Carcase, Meat, Poultry, or Fish is kept for the Purpose of Sale or of Preparation for Sale, or shall in any Manner obstruct or impede him, or his Servant or Assistant, when duly engaged in carrying the Provisions of this Act into execution, such Person shall be liable to a Penalty not exceeding Five Pounds.

TO THE

NUISANCES REMOVAL ACT (1855)
AMENDMENT BILL.

Ordered, by The House of Commons, *to be Printed,*
24 *July* 1863.

[Bill 268.] *Under* 1 *oz.*

A

BILL

TO

Give Relief to Persons who may refuse or be unwilling, from alleged conscientious Motives, to be sworn in Criminal Proceedings in Scotland.

WHEREAS it is expedient to grant Relief to Persons who may refuse or be unwilling, from alleged conscientious Motives, to be sworn in Criminal Proceedings in Scotland: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. If any Person called as a Witness in any Court of Criminal Jurisdiction in Scotland, or required or desiring to make an Affidavit or Deposition in the course of any Criminal Proceeding, shall refuse or be unwilling, from alleged conscientious Motives, to be sworn, it shall be lawful for the Court or Judge, or other presiding Officer or Person qualified to take Affidavits or Depositions, upon being satisfied of the Sincerity of such Objection, to permit such Person, instead of being sworn, to make his or her solemn Affirmation or Declaration in the Words following; videlicet, Persons refusing from conscientious Motives to be sworn in Criminal Proceedings in Scotland to be permitted to make a solemn Affirmation or Declaration.

'I *A.B.* do solemnly, sincerely, and truly affirm and declare, That the taking of any Oath is according to my Religious Belief unlawful; and I do also solemnly, sincerely, and truly affirm and declare,' &c.

Which solemn Affirmation and Declaration shall be of the same Force and Effect as if such Person had taken an Oath in the usual Form.

Punishment for making false Affirmation.

2. If any Person making such solemn Affirmation or Declaration shall wilfully, falsely, and corruptly affirm or declare any Matter or Thing which, if the same had been sworn in the usual Form, would have amounted to wilful and corrupt Perjury, every such Person so offending shall incur the same Penalties as by the Laws and Statutes of this Kingdom are or may be enacted or provided against Persons convicted of wilful and corrupt Perjury.

Commencement of Act.

3. This Act shall come into operation *from and after the passing thereof.*

Short Title.

4. This Act may be cited for all Purposes as "The Oaths Relief in Criminal Proceedings (Scotland) Act, 1863."

A

B I L L

INTITULED

An Act for the Prevention and Punishment of Offences committed by Her Majesty's Subjects in South Africa.

WHEREAS the Inhabitants of certain Territories in South Africa to the Southward of the Twenty-fifth Degree of South Latitude not being within the Jurisdiction of any civilized Government, and Crimes and Outrages being likely (unless prevented) to be committed within such Territories by Subjects of Her Majesty being therein, it is requisite to provide for the Punishment of Offences committed by Her Majesty's Subjects within such Territories: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. The Laws which are now or which shall hereafter be in force in the Colony of the Cape of Good Hope for the Punishment of Crimes therein committed shall be and the same are hereby extended and declared applicable to all Her Majesty's Subjects within any Territory in Africa being to the Southward of the Twenty-fifth Degree of Laws in force at the Cape of Good Hope for Punishment of Crimes extended to British Sub-

jects in Parts of South Africa not being within Jurisdiction of any civilizedGovernment.

of South Latitude, and not being within the Jurisdiction of any civilized Government, and every Crime or Offence committed by any of Her Majesty's Subjects within any such Territory shall be cognizable in the Courts of the Colony of Natal, or of any of Her Majesty's Possessions in Africa to the Southward of the said Twenty-fifth Degree of South Latitude, and shall be inquired of, tried, and prosecuted, and on Conviction punished, in such and the same Manner as if the said Crime or Offence had been committed, and as if the Law rendering the same punishable had been in force, within such Colony or Possession.

Governor of the Cape of Good Hope may address Commissions to Persons to act as Magistrates in such Territory.

2. It shall be lawful for the Governor of the Cape of Good Hope to address to any One or more of Her Majesty's Subjects, being within or about to resort to any such Territory as aforesaid, One or more Commission or Commissions, authorizing him or them to exercise within such Territory the Office of a Magistrate for the Purpose of preventing the Perpetration therein by any of Her Majesty's Subjects of any Crimes or Offences, and for the Purpose of arresting, committing to Custody, and bringing to Trial before any such Courts as aforesaid any of Her Majesty's Subjects charged on sufficient Evidence before him or them with the Commission of any Crime or Offence within any such Territory; and it shall also be lawful to the Governor of the said Colony, by any Commission or Commissions as aforesaid, to define with all practicable and convenient Precision the local Limits within which the Jurisdiction of any such Magistrate or Magistrates shall be so exercised, and to which it shall so extend; and within the Limits so to be defined as aforesaid, every such Magistrate shall have, exercise, and enjoy all such Powers and Authorities over and in reference to Her Majesty's Subjects inhabiting or being within the same as shall by any such Commission or Commissions be specially granted: Provided always, that no such Powers or Authorities shall be so granted by any such Commission or Commissions, save only such as shall be necessary for accomplishing the Purposes aforesaid with Promptitude and Effect.

Powers of such Magistrates.

Commissions to be in force only during the Queen's Pleasure.

3. All such Commissions as aforesaid shall be made to continue in force only during Her Majesty's Pleasure; and the Governor for the Time being of the Cape of Good Hope shall be and he is hereby bound and required to transmit a Copy of every such Commission by the earliest Opportunity to Her Majesty, through One of Her Majesty's Principal Secretaries of State, for Her Approbation or Disallowance.

4. Nothing

4. Nothing herein or in any such Commission or Commissions contained shall extend or be construed to extend to invest Her Majesty, Her Heirs or Successors, with any Claim or Title whatsoever to Dominion or Sovereignty over any such Territory as aforesaid, or to derogate from the Rights of the Tribes or People inhabiting such Territory, or of Chiefs or Rulers, to any such Sovereignty or Dominion.

Act not to invest Her Majesty with any Title to Sovereignty over such Territory.

5. For the Purposes of this Act, any Person lawfully administering the Government of the Cape of Good Hope shall be deemed and taken to be the Governor thereof.

Person administering Government to be deemed Governor.

6. An Act passed in the Sixth and Seventh Years of His Majesty William the Fourth, intituled "An Act for the Prevention and "Punishment of Offences committed by His Majesty's Subjects "within certain Territories adjacent to the Colony of the Cape "of Good Hope," is hereby repealed: Provided always, that all Commissions issued by the Governor of the Cape of Good Hope under Authority of the said Act of Parliament, and all Acts performed under Authority or in pursuance of such Commissions, at any Time before this Act shall be proclaimed in the Colony of the Cape of Good Hope, shall be of the same Force and Effect as if this Act had not passed.

6 & 7 W. 4. c. 57. repealed.

A

B I L L

INTITULED

An Act for the Prevention and Punishment of Offences committed by Her Majesty's Subjects in South Africa.

(*Brought from the Lords* 30 *April* 1863.)

Ordered, by The House of Commons, *to be Printed*, 7 *May* 1863.

[Bill 113.]

Under 1 *oz.*

A

BILL

TO

Abolish the Office of Secretary at War, and to transfer the Duties of that Office to One of Her Majesty's Principal Secretaries of State.

WHEREAS by various Acts of Parliament, and particularly by those mentioned and set forth in the Schedule to this Act, various Duties, Powers, and Authorities are given to and vested in and exercisable by the Secretary at War and his Deputy: And whereas Her Majesty hath thought fit to appoint a Principal Secretary of State for the War Department, and to transfer to him the Administration of the Department, the Duties of which were previously executed by the said Secretary at War: And whereas it is expedient that the Office of Secretary at War should be abolished, and that the several Duties, Powers, and Authorities heretofore given to, vested in, and exercised by the said Secretary at War and his Deputy under the said several Acts should be vested in and exercisable by One of Her Majesty's Principal Secretaries of State and an Under Secretary respectively: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. That from and after the *passing of this Act* the Office of Secretary at War shall be and the same is hereby abolished, but all the Duties, Powers, Authorities, Rights, and Privileges whatsoever Office of Secretary at War abolished. Duties, &c

transferred to Secretary of State for the War Department.

soever which by virtue of the said recited Acts or either of them, or of any other Act or Acts of Parliament, or of any other Law, Custom, or Usage whatsoever, are at the Time of the *passing of this Act* vested in or exercised or exercisable by the Secretary at War shall henceforth continue in full Force, and shall be and the same are hereby declared to be vested in and exercisable by Her Majesty's Principal Secretary of State for the Time being to whom Her Majesty shall think fit to intrust the Seals of the War Department, and further that any such Duties, Powers, and Authorities which by virtue as aforesaid a Deputy Secretary at War might heretofore exercise shall hereafter be exercised or exercisable by an Under Secretary of State.

Monies, &c. standing in the Name of Secretary at War transferred to the Name of the Secretary of State for the War Department.

2. All Monies, Stocks, and Securities standing in the Name of the Secretary at War, either alone or in joint Account with any other Person or Persons in the Books of the Governor and Company of the Bank of England, shall, after the *passing of this Act*, be entered in or transferred to the Name of Her Majesty's Principal Secretary of State for the War Department, to a sole or joint Account, as the Nature of the Case may be, and be subject to the same Trusts and Powers, and be held for the same Ends, Intents, and Purposes, as the same were liable to before the *passing of this Act;* and the Governor and Company of the Bank of England under Instructions from the Commissioners of Her Majesty's Treasury are hereby authorized and required to make the aforesaid Alterations in their Books.

Monies, &c. standing to the Credit of the Accountant General in Chancery on account of Secretary at War, to be transferred to Secretary of State for the War Department.

3. All Monies, Stocks, or Securities standing to the Credit or in the Name of the Accountant General of the Court of Chancery in the Books of the Governor and Company of the Bank of England, or of any other Public Company, and the Dividends or Interest on such Stocks or Securities, which are by any Order of the Court of Chancery directed to be paid or transferred to the Secretary at War or Deputy Secretary at War, shall until the Court of Chancery shall otherwise order be paid or transferred to Her Majesty's Principal Secretary of State for the War Department or to an Under Secretary of State for the War Department for the Time being.

Orders, &c. to remain in force.

4. All Orders, Regulations, and Directions heretofore lawfully given or made by the Secretary at War or his Deputy shall remain in full Force, but the same shall hereafter be deemed to be the Orders, Regulations, and Directions of One of Her Majesty's Principal Secretaries of State, and be subject to Alteration or Revocation by One of such Secretaries accordingly.

Short Title.

5. This Act may be cited as "The Secretary at War Abolition "Act, 1863."

THE

THE SCHEDULE.

An Act to repeal an Act, made in the Twenty-third Year of King George the Third, for the better Regulation of the Office of Paymaster General of His Majesty's Forces, and the more regular Payment of the Army; and for the more effectually regulating the said Office.	45 Geo. 3. c. 58.
An Act for the more convenient Payment of Half Pay and Pensions, and other Allowances to Officers and Widows of Officers, and to Persons upon the Compassionate List.	47 Geo. 3 (Sess. 2.) c. 25.
An Act to repeal so much of an Act passed in the Forty-fifth Year of George the Third, for regulating the Office of Paymaster General, as requires certain Accounts to be examined and settled within certain Periods by the Secretary at War, and enabling His Majesty to make Orders for examining and settling such Accounts.	48 Geo. 3. c. 128.
An Act to authorize the Allowing Officers to retire on Half Pay or other Allowances under certain Restrictions.	51 Geo. 3. c. 103.
An Act to extend the Provisions of 51 Geo. 3. c. 103. relating to the Half Pay and Allowance of Officers retiring from Service; and to authorize the allowing to Foreign Officers wounded the like Pensions and Allowances as are given to British Officers under the like Circumstances.	52 Geo. 3. c. 151.
An Act to amend several Acts relating to the Militia, and to enlisting of the Militia into His Majesty's Regular Forces.	53 Geo. 3. c. 81.
An Act to repeal 54 Geo. 3. c. 151. and 55 Geo. 3. c. 170 relating to the Office of the Agent General, and for transferring the Duties of the said Office to the Offices of the Paymaster General and Secretary at War.	57 Geo. 3. c. 41.
An Act for regulating the Payment of Regimental Debts, and the Distribution of the Effects of Officers and Soldiers dying in Service, and the Receipt of Sums due to Soldiers.	58 Geo. 3. c. 73.
An Act to amend 58 Geo. 3. c. 73. and 4 Geo. 4. c. 81. for regulating the Payment of Regimental Debts, and the Distribution of the Effects of Officers and Soldiers dying in Service, and the Receipt of Sums due to Soldiers; and for punishing Mutiny and Desertion of Officers and Soldiers in the Service of the East India Company.	6 Geo. 4. c. 61.
An Act to consolidate and amend several Acts relating to the Royal Hospitals for Soldiers at Chelsea and Kilmainham.	7 Geo. 4. c. 16.
An Act to amend 52 Geo. 3. c. 151. so far as the same relates to the Retired Allowances of Quartermasters of Cavalry and Infantry.	7 Ge c. 31o. 4.
An Act to make further Regulations with respect to Army Pensions.	1 Wm. 4. c. 41.
An Act respecting the Transfer of certain Funds to the Secretary at War and the Paymaster General.	1 & 2 Vict. c. 89.
An Act to amend the Laws relating to the Payment of Out-Pensioners of Chelsea Hospital.	5 & 5 Vict. c. 70.

6 & 7 Vict. c. 95.	An Act for rendering more effective the Services of such Out-Pensioners of Chelsea Hospital as shall be called out to assist in preserving the Public Peace.
7 & 8 Vict. c. 85.	An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament; and for other Purposes in relation to Railways.
10 Vict. c. 21.	An Act to regulate the Stations of Soldiers during Parliamentary Elections.
11 & 12 Vict. c. 55.	An Act for consolidating the Offices of Paymasters of Exchequer Bills and Paymaster of Civil Services with the Office of Paymaster General, and for making other Provisions in regard to the consolidated Offices.
15 & 16 Vict. c. 50.	An Act to consolidate and amend the Laws relating to the Militia in England.
17 & 18 Vict. c. 105.	An Act to amend the Laws relating to the Militia in England and Wales.
19 Vict. c. 15.	An Act for further regulating the Payment of the Out-Pensioners of Greenwich and Chelsea Hospitals.
18 & 19 Vict. c. 123.	An Act to defray the Charge of the Pay, Clothing, and Contingent and other Expenses of the Disembodied Militia in Great Britain and Ireland; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, and Surgeons Mates of the Militia, and to authorize the Employment of the Non-commissioned Officers.
22 & 23 Vict. c. 20.	An Act to amend and consolidate the Laws relating to Military Savings Banks.
22 & 23 Vict. c. 38.	An Act further to amend the Laws relating to the Militia.
22 & 23 Vict. c. 42.	An Act to provide for the Establishment of a Reserve Force of Men, who have been in Her Majesty's Service.
23 & 24 Vict. c. 94.	An Act to amend the Laws relating to the Militia.
23 & 24 Vict. c. 152.	An Act to facilitate Internal Communication in Ireland by means of Tramroads or Tramways.
25 Vict. c. 5.	An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters; and Rules and Articles of War made under such last-mentioned Act.

LORDS AMENDMENT

TO THE

OFFICERS OF ROYAL NAVAL RESERVE BILL.

Note.—*The Page and Line refer to the Bill* (131.) *as printed by the Lords.*

Page 1. Line 16. After ("Majesty") insert ("or of any Persons "who have been Commissioned Officers, Masters, or Engineers in "the Indian Naval Force of Her Majesty, or in the Naval Force of "the East India Company")

[Bill 244.]

LORDS AMENDMENT

TO THE

OFFICERS OF ROYAL NAVAL RESERVE BILL.

Ordered, by The House of Commons, *to be Printed,*
15 *July* 1863.

[Bill 244.]

Under 1 *oz.*

A

BILL

TO

Establish Officers of the Royal Naval Reserve.

WHEREAS Her Majesty is now empowered to avail Herself of the Services of certain Officers of the Merchant Service of the United Kingdom, and of the Colonies and Dependencies thereof, as Officers of Reserve to the Royal Navy; and it is expedient to extend such Power so as to enable Her Majesty to accept the Services in the like Capacity of other qualified Persons; and it is also expedient that the Provisions relating to such Acceptance of Services should be comprised in One Act: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preamble. 24 & 25 Vict. c. 129.

1. It shall be lawful for Her Majesty to accept from Time to Time the Offers of any Persons who have been, are, or shall be Masters, Mates, or Engineers of Ships in the Merchant Service aforesaid, or of other British Ships not belonging to Her Majesty, to serve as Officers of Reserve to the Royal Navy, upon such Terms and Conditions as to Her Majesty may from Time to Time seem fit.

Her Majesty may accept Services of Masters, &c. of Merchant Service.

2. The

Power to Admiralty to enrol Officers of Reserve to the Royal Navy.

2. The Lord High Admiralty, or the Commissioners for executing his Office, herein-after called the Admiralty, may enrol as Officers of Reserve to the Royal Navy so many of such Persons as aforesaid as the Admiralty may from Time to Time deem expedient, under and subject to such Rules, Orders, and Regulations as the Admiralty may, with the Consent of Her Majesty in Council, from Time to Time establish; and such Persons so enrolled shall bear such Rank in respect to the Officers of the Royal Navy as the Admiralty may from Time to Time direct, and shall, when called out for Training or Exercise, or on actual Service, be subject to all the Laws, Regulations, and Customs for the Time being in force for the Government and Discipline of the Royal Navy.

Pay, Allowances, and Pensions of Officers of Reserve and Pensions of Widows of such Officers.

3. Such Persons so enrolled as Officers of Reserve shall be entitled to receive such Pay and Allowances as the Admiralty, with the Consent of Her Majesty in Council, may from Time to Time appoint; and if any such Person is disabled or receives any Hurt or Wound in actual Service he shall be entitled to the same Allowance or Pension in respect thereof as an Officer of the Royal Navy of corresponding Rank would be entitled to under similar Circumstances; and if any such Person is killed in Action, or dies from any Wound or Accident resulting from the Performance of his Duty, his Widow (if any) shall be entitled to the same Pension as the Widow of an Officer of the Royal Navy of corresponding Rank would be entitled to under similar Circumstances.

Continuance of Officers already enrolled.

4. It shall be lawful for Her Majesty to continue the Services of all Persons who have been enrolled as Officers of Reserve to the Royal Navy before the *passing of this Act*, and the Services of all such Persons shall be deemed to be continued by Her Majesty as if this Act had not been passed, unless and until Her Majesty thinks fit to discontinue the same.

Provision for existing and future Regulations.

5. All Rules, Orders, and Regulations relating to Persons enrolled as Officers of Reserve to the Royal Navy made before the *passing of this Act* by the Admiralty, with the Consent of Her Majesty in Council, shall, with respect to all Persons enrolled before the *passing of this Act*, continue in force as if this Act had not been passed, and shall also extend and apply, as far as may be, mutatis mutandis, to all Persons so enrolled after the *passing of this Act*, but so that any Rules, Orders, and Regulations made as aforesaid from Time to Time under this Act may repeal or alter all or any Part of any Rules, Orders, and Regulations made before the *passing of this Act*, and shall, unless otherwise expressed, extend and apply as well to Persons so enrolled before the *passing of this Act* as to Persons so enrolled after the *passing of this Act*.

6. On

6. On the *passing of this Act* the Act of the Session of the Twenty-fourth and Twenty-fifth Years of Her Majesty (Chapter One hundred and twenty-nine), "to enable Her Majesty to accept "the Services of Officers of the Merchant Service as Officers of "Reserve to the Royal Navy," shall be repealed; but this Repeal shall not affect the past Operation of the said Act, or the Validity of anything already done, or any Right, Title, Obligation, or Liability already accrued thereunder. Repeal of 24 & 25 Vic. c. 129.

7. This Act may be cited as the Officers of Royal Naval Reserve Act, 1863. Short Title.

Officers of Royal Naval Reserve.

A

BILL

To establish Officers of the Royal Naval Reserve.

(*Prepared and brought in by Lord Clarence Paget and Mr. Stansfeld.*)

Ordered, by The House of Commons, *to be Printed,* 28 *May* 1863.

[Bill 142.]

Under 1 *oz.*

Partnership Law Amendment Bill.

ARRANGEMENT OF CLAUSES.

Short Title; Sect. 1.

Interpretation of Terms; 2.

Lenders of Money may, under certain Conditions, receive a Share of Profits without being Partners; 3.

Certain Particulars as to such Loan to be registered; 4.

The Registrar of Joint Stock Companies to be Registrar under this Act; 5.

Loans to be registered within Fifteen Days. No Person entitled to the Benefit of this Act unless Instalments paid or advanced at the Time specified in the Registration; 6.

Money not to be repaid before the Time specified in the Register; 7.

Lenders of Money violating the foregoing Schemes to become General Partners; 8.

The Firm of a Limited Partnership shall not include the Name of any Limited Partner, or else Limited Partner to become General Partner; 9.

Dissolution of Limited Partnership. Liability of Representatives of Limited Partner; 10.

On Dissolution of Limited Partnership, Money lent to become a Debt; 11.

On Dissolution of Partnership by Death of General Partner, Limited Partners to cause Entry of Dissolution to be appended to the Registration; 12.

General Partners only to be made bankrupt. Rights and Liabilities of Limited Partner in case of Bankruptcy of General Partners; 13.

This Act not to affect Joint Stock Companies Acts; 14.

Clerks may be paid by Portion of Profits without thereby becoming Partners; 15.

Partnership Disputes in certain Cases may be settled by Arbitration; 16.

Mode of Procedure in Arbitration Cases; 17.

The Names, &c. of Persons constituting Firms which do not indicate the Persons constituting it to be registered; 18.

Changes in Constitution of Firms to be registered in certain Cases; 19.

Registered Persons retiring from any Business may require Registrar to make Entry thereof; 20.

Assignees of registered Person bankrupt to cause Bankruptcy to be registered; 21.

Persons registered may sue and be sued in Name of registered Firm; 22.

Consequences of Noncompliance with Provisions as to Registration, &c.; 23.

Registrar to file Declarations under this Act; 24.

Provision of Sect. 174. of the Companies Act, 1862, to apply to Registration under this Act; 25.

Register Books to be open. Certified Copies of Documents and Entries to be Evidence; 26.

All Applications to Registrar may be sent by Post; 27.

All Fees may be paid by Post Office Order; 28.

Punishment for forging the Signature or Seal or making false Declaration; 29.

A

B I L L

TO

Amend the Law relating to Partnerships.

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited as the "Partnership Law Amendment Act, 1862."

Interpretation of Terms.

2. In the Construction of this Act the following Words shall be construed as herein-after mentioned:

"Trading Concern."

"Trading Concern" shall mean any Business of Commerce, Trade, or Manufacture, whether carried on by One Person or by more than One Person in Copartnership:

"General Partner."

"General Partner" shall have the same Signification as the Word "Partner" had previously to the passing of this Act:

"Limited Partnership."

"Limited Partnership" shall mean the "General Partners" together with the Limited Partners under this Act in any Trading Concern or the Relationship between such General and Limited Partners, as the Context may require:

"Share of Profits."

"Share of Profits" shall include not only a Share of Profits properly so called, but any Payment varying with, or dependent upon or payable out of the Profits of a Trading Concern, whether the same be payable in One Sum or more, or at certain or uncertain Times:

"Lending Money."

Any Person shall be construed to "lend Money," within the Meaning of this Act, who shall either advance Money to be used in and for the Purposes of a Trading Concern, or who being entitled, whether as a retiring Partner or otherwise, to demand and receive present Payment of the Value of any Share or Interest of or in the Capital or other Funds of a Trading Concern, shall, after the Value thereof shall have been ascertained between such Person and the Person or Persons liable to pay the same, allow the same to remain therein, or to be used by such Person or Persons for the Purposes of such Trading Concern.

Lenders of Money may, under certain Conditions, receive a Share of Profits without being Partners.

3. It shall be lawful for any Person, subject to the Provisions of this Act, to lend Money to any Person engaged or about to engage in any Trading Concern, upon the Terms of receiving in lieu of a fixed Rate of Interest or Remuneration for the same, or in addition thereto, a Share of Profits, without becoming by reason thereof a General Partner with such Person, but upon such Loan being made the Person making the same shall become and be a Limited Partner with the Person to whom the same is made.

Certain Particulars as to such Loan to be registered.

4. In order to entitle the Person constituting any Limited Partnership to the Benefit of this Act, the following Particulars shall be registered in the Manner herein-after provided:

(1.) The Surname and Christian Name or other Name or Names in full, and the Place or Places of Residence of each of the Partners, and whether he be a General or a Limited Partner:

(2.) The Nature of the Business and of the Place or Places at which it is carried on or to be carried on:

(3.) The Name of the Firm or Style in which the said Trading Concern is or is to be carried on:

(4.) The Sum or Sums of Money lent or to be lent by each Limited Partner, the Time or Times at which such Sum or Sums shall have been or shall become or be advanced, and the Time or Times at which the same shall become or be repayable.

The Registrar of Joint Stock Companies to be Registrar under this Act.

5. The Registrar of Joint Stock Companies shall be the Registrar under this Act, and shall be called the Registrar of Joint Stock Companies and Partnerships.

6. Every

Loans to be registered within 15 Days.

6. Every Registration of any Sum or Sums of Money lent or to be lent under this Act shall be effected within *Fifteen* Days after such Sum or any Portion or Instalment thereof shall have been paid or advanced by the Person lending, to or for the Use of the Person borrowing the same; and no Person lending Money shall be entitled to the Benefit of this Act in respect thereof unless the several Sums or Instalments specified in the Registration shall be paid or advanced to or for the Use of the Person borrowing the same, or at the Time or at the Times or within *Fifteen* Days thereof respectively specified in that Behalf in such Registration.

No Person entitled to the Benefit of this Act, unless Instalments paid or advanced at the Time specified in the Registration.

Money not to be repaid before the Time specified in the Register.

7. No Part of the Money so lent shall be repaid, satisfied, or secured in any Manner before the Expiration of the Time registered as aforesaid in that Behalf.

Lenders of Money violating the foregoing Schemes to become General Partners.

8. Any such Lender of Money or Limited Partner as aforesaid who shall violate the Provisions of foregoing Sections or either of them shall become and be a General Partner with the Person to whom it is lent.

The Firm of a Limited Partnership shall not include the Name of any Limited Partner, or else Limited Partner to become General Partner.

9. The Firm or Style used by the Limited Partnership shall be the same as that registered, and shall not include the Name of any Limited Partner, or any Name identical therewith, and any Limited Partner whose Name shall appear or be included in any registered Firm or Style shall become and be a General Partner.

Dissolution of Limited Partnership.

Liability of Representatives of Limited Partner.

10. A Limited Partnership shall be dissolved as to any Limited Partner upon the Arrival of the Time at which the Sum of Money lent by such Limited Partner, or the latest Time at which any Portion or Instalment of such Sum, or the last of such Sums, becomes repayable to him, or by the Death or Bankruptcy of One or more of the General Partners; and the Executors or Administrators of any Limited Partner shall, as respects the Assets of such deceased Limited Partner which may come to their Hands to be administered, be subject to the same Liabilities as such Limited Partner would have been subject to if he had lived.

On Dissolution of Limited Partnership, Money lent to become a Debt.

11. Upon the Dissolution of any Limited Partnership the Sum or Sums lent by any Limited Partner as to whom the said Partnership shall be dissolved shall become an ordinary Debt or ordinary Debts, and the Person to whom it or they is or are due respectively may demand and sue for the same as for Money lent: Provided always, that upon such Dissolution the Person having been such Limited Partner may renew the said Loan upon the same, or any new or varied

Terms, and thereupon a fresh Registration shall be effected, and such Person shall thereupon again become a Limited Partner in respect of the Sum, and upon the Terms specified of the last-mentioned Registration: Provided also, that it shall be lawful for any Limited Partner at any Time to lend any further Sum to the General Partner or Partners in any Trading Concern, or to extend the Period for which any subsisting Loan shall be made, and thereupon a fresh Registration shall be effected in respect of the Sum or Sums of Money already registered, as well as of the said further Loan, or the Particulars required by this Act to be registered of such extended Loan, as the Case may be, and an Entry shall be appended to the former Registration to the Effect that it is superseded.

On Dissolution of Partnership by Death of General Partner, Limited Partners to cause Entry of Dissolution to be appended to the Registration.

12. Upon the Dissolution of a Limited Partnership by the Death of any General Partner, where there shall be more than One General Partner, the Limited Partner or Partners shall, within *Ten* Days after the Knowledge of such Death shall have come to him or them, or so soon thereafter as shall be possible, cause an Entry of such Dissolution and of the Cause thereof to be appended to the Registration of the Limited Partnership, and in default thereof shall be deemed and taken to have become a Limited Partner with the surviving General Partner or Partners in respect of the same Sum or Sums, and on the same Terms as those registered in respect of the Limited Partnership so dissolved by the Death of a General Partner as aforesaid, and such Entry shall be made by the Registrar, on Compliance by the Person requiring the same with the Provisions of Section Nineteen of this Act.

General Partners only to be made bankrupt.

13. The General Partner or Partners only of a Limited Partnership shall be liable to be made bankrupt in respect of the Dealings or Liabilities of such Partnership, but in case of such Bankruptcy no Limited Partner shall be entitled to receive from the Estate of such Bankrupt any Portion of the Principal Sum or Sums of Money still remaining unpaid, or any Arrears of any Profits or Interest or other Sum payable in respect thereof, or of his being such Limited Partner, until all the other Creditors of such Bankrupt or Bankrupts whose Debts were contracted during the Existence of such Limited Partnership have been fully satisfied; and in case the General Partner or Partners of a Limited Partnership should be adjudicated bankrupt within *Twelve* Months after the Dissolution of a Limited Partnership, every Person who was a Limited Partner therein, or his Executors or Administrators, in respect of such Assets as may come to their Hands to be administered, shall be liable to make good to the Persons who at the Time of such Dissolution were Creditors of such Bankrupt or Bankrupts,

Rights and Liabilities of Limited Partner in case of Bankruptcy of General Partners.

Bankrupts, and whose Debts were contracted during the Existence of such Limited Partnership, any Deficiency of Assets to the Extent of such Portion of the Sum of Money in respect of which he was such Limited Partner as may have been repaid, secured, or satisfied to him upon or since the said Dissolution, and no further, and in case of the Bankruptcy of such Limited Partner the Amount of such Deficiency as aforesaid shall be proveable as a Debt against his Estate.

This Act not to affect Joint Stock Companies Acts.

14. Nothing in this Act contained shall be taken to repeal or in any way interfere with any of the Provisions of the Joint Stock Companies Acts, 1856 and 1857.

Clerks may be paid by Portion of Profits without thereby becoming Partners.

15. It shall be lawful for any Clerk, Manager, or Servant in the Employment of any Person or Persons engaged in any Trading Concern to receive or to contract to receive, in lieu of or in addition to any fixed Salary or Wages, a Sum or Sums varying with or in proportion to the Profits made or to be made by his Employer in such Trading Concern, without thereby acquiring any Right or being or becoming subject to any Liabilities of a Partner with such Employer.

Partnership Disputes in certain Cases may be settled by Arbitration.

16. And whereas it is desirable to provide speedy Remedies for the Settlement of Partnership Disputes: Be it enacted, That in every Case of Partnership, whether general or limited, and whether created by Deed by Writing, by Parol, or by the Dealings of the Parties, unless the Deed or Instrument creating the Partnership shall contain express Provisions as to the Manner in which Disputes provided for by this Section shall be decided, if any Dispute shall arise between the Partners or any of them as to any Act, Question, Matter, or Thing arising out of the Contract of Partnership, or out of the Relation of the Parties to one another as Partners, or out of the Winding-up or the Dissolution of the same, whether by Death or otherwise, or in any way touching or affecting the Management of the Property or Business or Dealings of the Partnership, wherein the Matters in dispute shall be between Two Parties only, and for all Purposes of Arbitration under this Act the personal Representatives of any deceased Partner shall be considered as such Partner, and all Partners, having inter se a common Interest in the Subject of or in dispute, shall be considered as one Party only, such Dispute shall be referred to and decided by Arbitration in the Manner herein-after provided.

Mode of Procedure in Arbitration Cases.

17. Upon the happening of any such Dispute as aforesaid it shall be lawful for either of the Two Parties (as defined by the last Section) to such Dispute to give Notice in Writing, signed by the said Person or Persons, to the other of such Parties, by personal Service on each of the Persons to be affected thereby, stating that

Matters of Dispute have arisen, and stating the Name of the Arbitrator appointed by the Party giving the Notice; and thereupon the other Party to the said Dispute shall, within *Twenty-one* Days of the last Day on which such Notice was served as aforesaid on any of the Persons hereby required to be served therewith, deliver to the Party giving the Notice aforesaid a Notice signed as aforesaid, to be served as aforesaid, either stating his or their Concurrence in the Appointment of the said Arbitrator, or appointing another; and such Notices shall in each Case be a sufficient Appointment of an Arbitrator by the Party giving the same; and the Two Notices together, or one thereof and a Copy verified by Affidavit of the other, shall constitute a sufficient Submission of all Matters in difference between the said Parties to the Two Arbitrators so appointed as aforesaid; and in default of such Party delivering such Notice the Arbitrator appointed by the other Party shall be the sole Arbitrator between the Parties, and the said Notice shall be a sufficient Submission to him by both Parties of all Matters in difference between them, and such Submission may in either Case be made a Rule of any of Her Majesty's Courts of Common Law at Westminster, and shall be deemed to contain an Agreement that it may be made a Rule of Court.

In case both Parties shall appoint the same Arbitrator, he shall be the sole Arbitrator between the said Parties; and in case each Party shall appoint a different Arbitrator, such Two Arbitrators shall, before entering on the said Arbitration, appoint, in Writing under their Hands, an Umpire, to whom the Matters in dispute shall be referred, in case the Two Arbitrators shall not agree touching their Award.

At the First Meeting the said Arbitrator or Two Arbitrators may require each of the said Parties to deliver to the said Arbitrator or Arbitrators a Statement in Writing of the Matters by him alleged to be in difference between the said Parties, and neither Party shall be entitled on the said Arbitration to go into any Matters not contained in such written Statement.

The said sole Arbitrator or the said Two Arbitrators or their Umpire, as the Case may be, shall have Power to award any Sum or Sums of Money to be paid by either of the said Partners to any or either of the others, and generally to order all Matters and Things to be done and performed by any or either of such Partners, or his or their personal Representatives, which may in his or their Judgment be necessary for deciding and terminating the Matters in difference, and to make such Order as to the Costs of the Reference and Award as to him or them may seem just and expedient; and all the Clauses, Powers, and Provisions contained in the Common Law Procedure Act,

Act, 1854, relative to Arbitrations and Arbitrators shall apply in the Case of any Arbitration under this Act.

The preceding Sections as to Arbitration shall apply only where all the Persons affected thereby shall be resident within the United Kingdom of Great Britain and Ireland, and the Parts of Her Majesty's Dominions adjacent thereto.

And whereas it is expedient that the real Constitution of Trading Firms should be known: Be it enacted,

The Names, &c. of Persons constituting Firms which do not indicate the Persons constituting it to be registered.

18. Every Person who shall on the *Thirty-first Day of December One thousand eight hundred and sixty-two* be carrying on or be a Partner with any Person carrying on any Trading Concern under any Firm or Style which does not contain the Surnames and Christian Names in full of all the Persons so carrying on such Trading Concern, or which contains the Name of any Person other than the Person so carrying on such Business, or the Words or Phrase "and Company" or "and Co.," or any other general Words of similar Import, or using or being a Partner with any Person using any such Firm or Style, shall, on or before the said *Thirty-first Day of December*, and every Person thereafter carrying on Business, or being a Partner with any Person carrying on Business, or using or being a Partner with any Person using any such Firm or Style, shall within *One Calendar Month* after the first Adoption or Use of such Firm or Style, send or deliver or cause to be sent or delivered to the Registrar aforesaid a Statement in Writing containing the Particulars in respect of such Firm or Style, and the Person or Persons constituting the same, which are set forth in the Form (A.) in the Schedule to this Act annexed, and the Particulars so sent or delivered shall be signed by every such Person or Persons resident within the United Kingdom, and such Signature shall be attested in England or Ireland by a Justice of the Peace, or a Banker, or an Attorney of One of Her Majesty's Courts at Westminster or Dublin, and in Scotland by a Justice of the Peace, a Banker, a Notary, a Writer to the Signet, a Solicitor in the Supreme Courts, or a Procurator before a Sheriff Court, and the said Registrar shall keep and file the said Statement, and shall cause the said Firm or Style and the said Particulars to be registered accordingly.

Changes in Constitution of Firms to be registered in certain Cases.

19. Upon any Change taking place in the Constitution of such Firm or in any of the said Particulars of the said Business, if the said Firm shall continue to be carried on, the Person carrying on the same shall effect a fresh Registration in the Manner herein-before mentioned, if the Circumstances are such as to render Registration still required by this Act, and if not shall make and subscribe a solemn Declaration in lieu of Oath thereof, whereupon the Registrar shall enter the Word "expired" opposite the existing Registration, together with the Date of

of such Entry; and at the Time of effecting such new Registration, the Death, Bankruptcy, or Retirement of any Partner or other registered Person, or any other Matter causing a Change in the existing Registration, shall be verified by the Person requiring any such fresh Registration, by making and subscribing a solemn Declaration in lieu of Oath thereof.

Registered Persons retiring from any Business may require Registrar to make Entry thereof.

20. Every Person registered as aforesaid retiring from any Business, or the Executors or Administrators of any Person registered as aforesaid, and deceased, may make and subscribe such solemn Declaration as aforesaid of such Retirement or Death, and thereupon may require the said Registrar to append an Entry thereof to the said Registration.

Assignees of registered Person bankrupt to cause Bankruptcy to be registered.

21. The Assignees of every Bankrupt who shall be registered as aforesaid shall make similar solemn Declaration of the Fact and Date of Adjudication, and send or deliver the same to the said Registrar, who shall thereupon append an Entry thereof to the said Registration, and upon the annulling or superseding of any such Adjudication the said registered Person may make similar solemn Declaration thereof, and thereupon the said Registrar shall append an Entry thereof to the said Registration.

Persons registered may sue and be sued in Name of registered Firm.

22. Persons registered as aforesaid may sue and be sued in the Name of the Firm or Style registered as aforesaid, and Service of Process or Notice at the registered Place of Business shall be deemed good Service on the Person or Persons constituting such Firm or Style.

Consequences of Noncompliance with Provisions as to Registration, &c.

23. If any Person required by this Act to send or deliver to the said Registrar any Particulars as aforesaid, or to make and subscribe any solemn Declaration in lieu of Oath, or to effect any Registration, shall wilfully neglect or refuse so to do, such Non-Registration may be pleaded in Bar of any Action brought by any Person or Persons upon or in respect of any Contract made by him or them under the Name of a Firm or Style which by this Act ought to have been registered.

Registrar to file Declarations under this Act.

24. All solemn Declarations made under this Act, and delivered to the said Registrar, shall be kept and filed by him.

Provision of Sect. 174. of the Companies Act, 1862, to apply to

25. The Provisions of the One hundred and seventy-fourth Section of the Companies Act, 1862, shall apply to Registration under this Act, so far as the same are applicable, and except as herein-after provided; and the Board of Trade may, with the Sanction of the Commissioners

Commissioners of the Treasury, direct an Increase of Salary to be paid to the existing Registrar of Joint Stock Companies, and such additional Assistant Registrars, Clerks, and other Officers as may be necessary for the Purpose of carrying this Act into execution shall be appointed, at such a Salary as the Board of Trade may, with the Sanction of the Commissioners of the Treasury, direct; and the Board of Trade shall cause to be prepared and kept proper Books, Forms, and Indexes, for the Purpose of carrying this Act into execution, and may make such Regulations, and fix such Fees, and from Time to Time vary or alter the same or any Part thereof, as they may deem expedient; and all Fees received under this Act shall be paid to the Receipt of Her Majesty's Exchequer, and be carried to the Account of the Consolidated Fund of the United Kingdom of Great Britain and Ireland; and all such Regulations and Fees, and any Alterations or Variations thereof, shall be published in the London Gazette, and shall take effect from the Time mentioned therein.

Registration under this Act.

26. The Register Books and Indexes to be kept under this Act shall be open at suitable Times to the Inspection of any Person requiring to inspect the same, on Payment of a proper Fee; and the Registrar shall furnish to every Person requiring it, upon Payment of a proper Fee, Copies of any Entry therein or of any Document filed under the Provisions of this Act; and any Document purporting to be a Copy certified by the said Registrar, or to be sealed with the Seal of his Office, shall be admissible in Evidence of the original Entry or Document of which it purports to be a Copy, without further Proof in any Civil Proceeding; and any Document so purporting to be a Copy of any original Document required by this Act to be kept and filed shall be primâ facie Evidence in any Civil Proceeding that the Original was signed, subscribed, and attested by the Person or Persons respectively purporting to have signed, subscribed, or attested the same, and that the Person before whom any solemn Declaration purporting to have been made and subscribed had competent Authority to administer the same.

Register Books to be open.

Certified Copies of Documents and Entries to be Evidence.

27. All Applications to the Registrar for Registration or for Copies of any Registration, and all Documents required to be laid before such Registrar, may be sent by Post, if sufficiently stamped or prepaid; and all Certificates and Copies of any Registration shall be sent by Post by the Registrar to the Parties applying for such Certificates or Copies, if they shall so require, upon Payment of the Postage and of a proper Fee.

All Applications to Registrar may be sent by Post.

All Fees may be paid by Post Office Order.

28. All Fees payable for Registration under this Act, or for entering any Memorandum or Reference, or for any Copy of any Registration, may be sent by Post Office Order or Postage Stamps for the Payment of Money; and the Registrar shall not attend to any Application by Post for Registration or Copies, or otherwise, unless the same be accompanied by a Post Office Order or Orders for the full Amount required.

SCHE-

SCHEDULE.

FORM (A.)

Firm or Style.	Place of Business, Street and Town, or Parish and County.	Nature of Business.	Names of Partners, each written by himself, in full.	When signed.	Witness to Signature.

Partnership Law Amendment.

A

B I L L

To amend the Law relating to Partnerships.

(*Prepared and brought in by Mr. Scholefield, W. Murray, and Mr. Stansfeld.*)

Ordered, by The House of Commons, *to be Printed,* 19 *February* 1863.

[Bill 26.]

Under 2 oz.

18 *June* 1863. 26 VICT.

A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE]

TO

Amend the Law relating to Partnerships.

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This Act may be cited as the "Partnership Law Amendment Act, 1863." Short Title.

2. In the Construction of this Act the following Words shall be construed as herein-after mentioned: Interpretation of Terms.

"Trading Concern" shall mean any Business of Commerce, Trade, Manufacture, or Calling, whether carried on by One Person or by more than One Person in Copartnership: "Trading Concern."

"General Partner" shall have the same Signification as the Word "Partner" had previously to the passing of this Act: "General Partner."

"Limited Partnership" shall mean any Partnership which shall contain One or more Limited Partners: "Limited Partnership."

"Share of Profits."

"Share of Profits" shall include not only a Share of Profits properly so called, but any Payment varying with, or dependent upon or payable out of the Profits of a Trading Concern, whether the same be payable in One Sum or more, or at certain or uncertain Times:

"Lending Money."

Any Person shall be construed to "lend Money," within the Meaning of this Act, who shall either advance Money to a Trading Concern, or who, being entitled, whether as a retiring Partner or otherwise, to demand and receive present Payment of the Value of any Share or Interest of or in the Capital or other Funds of a Trading Concern, shall, after the Value thereof shall have been ascertained between such Person and the Person or Persons liable to pay the same, allow the same to remain therein, or to be used by such Person or Persons for the Purposes of such Trading Concern.

Lenders of Money may, under certain Conditions, receive a Share of Profits without being Partners.

3. It shall be lawful for any Person, subject to the Provisions of this Act, to lend Money to any Person engaged or about to engage in any Trading Concern, upon the Terms of receiving in lieu of a fixed Rate of Interest or Remuneration for the same, or in addition thereto, a Share of Profits, without becoming by reason thereof a General Partner with such Person, but upon such Loan being made the Person making the same shall become and be a Limited Partner with the Person to whom the same is made.

Certain Particulars as to such Loan to be registered.

4. In order to entitle the Persons constituting any Limited Partnership to the Benefit of this Act, the following Particulars shall be registered in the Manner herein-after provided:

(1.) The Surname and Christian Name or other Name or Names in full, and the Place or Places of Residence of each of the Partners, and whether he be a General or a Limited Partner:

(2.) The Nature of the Business and of the Place or Places at which it is carried on or to be carried on:

(3.) The Name of the Firm or Style in which the said Trading Concern is or is to be carried on:

(4.) The Sum or Sums of Money lent or to be lent by each Limited Partner at other than a fixed Rate of Interest, the Time or Times at which such Sum or Sums shall have been or shall be so lent, and the Time or Times at which the same shall become or be repayable.

The Registrar of Joint Stock Companies to be Registrar under this Act.

5. The Registrar of Joint Stock Companies shall be the Registrar under this Act, and shall be called the Registrar of Joint Stock Companies and Partnerships.

6. Every

Loans to be registered within 15 Days.

6. Every Registration of any Sum or Sums of Money lent or to be lent under this Act shall be effected within Fifteen Days after such Sum or any Portion thereof shall have been lent by the Person lending to the Person borrowing the same; and no Person lending Money shall be entitled to the Benefit of this Act in respect thereof unless the several Sums specified in the Registration shall be lent to the Person borrowing the same, or at the Time or at the Times respectively specified in that Behalf in such Registration, or within Fifteen Days thereof.

No Person entitled to the Benefit of this Act, unless Sums paid or advanced at the Time specified in the Registration.

Money not to be repaid before the Time specified in the Register.

7. No Part of the Money lent under the Provisions of this Act, shall be repaid, satisfied, or secured in any Manner before the Expiration of the Time registered as aforesaid in that Behalf.

Lenders of Money violating foregoing Schemes to be General Partners.

8. Any such Limited Partner as aforesaid who shall violate the Provisions of the foregoing Sections or either of them shall become and be a General Partner with the Person to whom it is lent.

The Firm of a Limited Partnership shall not include the Name of any Limited Partner, or else Limited Partner to become General Partner.

9. The Firm or Style used by the Limited Partnership shall be the same as that registered, and shall not include the Name of any Limited Partner, or any Name identical therewith, and any Limited Partner whose Name shall appear or be included in any registered Firm or Style shall become and be a General Partner.

Dissolution of Limited Partnership.

10. A Limited Partnership shall be dissolved as to any Limited Partner upon the Arrival of the Time at which the Sum of Money lent by such Limited Partner, or the latest Time at which any Portion or Instalment of such Sum, or the last of such Sums, becomes repayable to him, or by the Death or Bankruptcy of One or more of the General Partners, or by mutual Consent, or upon the General Partner or Partners ceasing to carry on the Trading Concern; and the Executors or Administrators of any Limited Partner shall in all Cases, as respects the Assets of such deceased Limited Partner which may come to their Hands to be administered, be subject to the same Liabilities as such Limited Partner would have been subject to if he had lived.

Liability of Representatives of Limited Partner.

On Dissolution of Limited Partnership, Money lent to become a Debt.

11. Upon the Dissolution of any Limited Partnership the Sum or Sums lent by any Limited Partner as to whom the said Partnership shall, in default of any Agreement to the contrary, be dissolved, shall become an ordinary Debt or ordinary Debts, and the Person to whom it or they is or are due respectively may demand and sue for the same as such: Provided always, that upon such Dissolution the Person having been such Limited Partner may renew the said

Loan upon the same or any new or varied Terms, and thereupon a fresh Registration shall be effected, and such Person shall thereupon again become a Limited Partner in respect of the Sum, and upon the Terms specified of the last-mentioned Registration: Provided also, that it shall be lawful for any Limited Partner at any Time to lend any further Sum to the General Partner or Partners in any Trading Concern, or to extend the Period for which any subsisting Loan shall be made, and thereupon a fresh Registration shall be effected in respect of the Sum or Sums of Money already registered, as well as of the said further Loan, or the Particulars required by this Act to be registered of such extended Loan, as the Case may be, and an Entry shall be appended to the former Registration to the Effect that it is superseded.

CLAUSE A.

On Dissolution of Limited Partnership by mutual Consent, the General Partner or Partners to cause Entry of Dissolution to be appended to the Registration, and inserted in Gazette.

12. Upon the Dissolution of any Limited Partnership by mutual Consent, the General Partner or Partners shall, within Fourteen Days thereafter, cause an Entry of such Dissolution, and of the Cause thereof, to be appended to the Registration of the Limited Partnership, and shall within the same Period cause such Dissolution, and the Cause thereof, to be advertized in the London Gazette; and every Person having been a Limited Partner shall, in case such General Partner or Partners, or the last Survivor of them, shall, within Twelve Calendar Months after such Dissolution, be adjudicated bankrupt or make any Assignment for the Benefit of or Deed of Composition with Creditors, or die insolvent, be subject to the Liabilities provided in that Behalf by Section 13 of this Act.

General Partners only to be made bankrupt.

13. The General Partner or Partners only of a Limited Partnership shall be liable to be made bankrupt in respect of the Dealings or Liabilities of such Partnership, but in case of such Bankruptcy no Limited Partner shall be entitled to receive from the Estate of such Bankrupt any Portion of the Principal Sum or Sums of Money still remaining unpaid, or any Arrears of any Profits or Interest or other Sum payable in respect thereof, or of his being such Limited Partner, until all the other Creditors of such Bankrupt or Bankrupts whose Debts were contracted during the Existence of such Limited Partnership have been fully satisfied; and in case the General Partner or Partners of a Limited Partnership should be adjudicated bankrupt within Twelve Months after the Dissolution of a Limited Partnership, every Person who was a Limited Partner therein, or his Executors or Administrators, in respect of such Assets as may come to their Hands to be administered, shall be liable to make good to the Persons who at the Time of such Dissolution were Creditors of such Bankrupt or Bankrupts

Rights and Liabilities of Limited Partner in case of Bankruptcy of General Partners.

Bankrupts, and whose Debts were contracted during the Existence of such Limited Partnership, any Deficiency of Assets to the Extent of such Portion of the Sum of Money in respect of which he was such Limited Partner as may have been repaid, secured, or satisfied to him upon or since the said Dissolution, and no further, and in case of the Bankruptcy of such Limited Partner the Amount of such Deficiency as aforesaid shall be proveable as a Debt against his Estate.

Clerks may be paid by Portion of Profits without thereby becoming Partners.

14. It shall be lawful for any Clerk, Manager, or Servant in the Employment of any Person or Persons engaged in any Trading Concern to receive or to contract to receive, in lieu of or in addition to any fixed Salary or Wages, a Sum or Sums varying with or in proportion to the Profits made or to be made by his Employer in such Trading Concern, without thereby acquiring any Right or being or becoming subject to any Liabilities of a General Partner with such Employer.

CLAUSE B.

Persons required to cause Registration to sign a Statement of Particulars to be registered.

15. In any Case in which Registration is required by this Act, the Persons whose Duty it is to cause such Registration to be made, or One of them, shall sign, and send or deliver, or cause to be sent or delivered, to the Registrar a Statement in Writing containing the Particulars required to be registered; and such Signature shall be attested in England or Ireland by a Justice of the Peace or Attorney, and in Scotland by a Justice of the Peace, Notary, Writer to the Signet, Solicitor in the Supreme Courts, or Procurator before a Sheriff Court, and the Registrar shall keep and file the said Statement, and shall cause the said Particulars to be registered accordingly.

Registrar to file Declarations under this Act.

16. All Declarations made under this Act, and delivered to the said Registrar, shall be kept and filed by him.

Provision of Sect. 174. of the Companies Act, 1862, to apply to Registration under this Act.

17. The Provisions of the One hundred and seventy-fourth Section of the Companies Act, 1862, shall apply to Registration under this Act, so far as the same are applicable, and except as herein-after provided; and the Board of Trade may, with the Sanction of the Commissioners of the Treasury, direct an Increase of Salary to be paid to the existing Registrar of Joint Stock Companies, and such additional Assistant Registrars, Clerks, and other Officers as may be necessary for the Purpose of carrying this Act into execution shall be appointed, at such a Salary as the Board of Trade may, with the Sanction of the Commissioners of the Treasury, direct; and the Board of Trade shall cause to be prepared and kept proper Books, Forms, and Indexes, for the Purpose of carrying this Act into execution, and may make such Regulations, and fix such Fees, and from Time to Time vary or alter the same or any Part thereof, as they may deem

deem expedient; and all Fees received under this Act shall be paid to the Receipt of Her Majesty's Exchequer, and be carried to the Account of the Consolidated Fund of the United Kingdom of Great Britain and Ireland; and all such Regulations and Fees, and any Alterations or Variations thereof, shall be published in the London Gazette, and shall take effect from the Time mentioned therein.

Register Books to be open.

18. The Register Books and Indexes to be kept under this Act shall be open at suitable Times to the Inspection of any Person requiring to inspect the same, on Payment of a proper Fee; and the Registrar shall furnish to every Person requiring it, upon Payment of a proper Fee, Copies of any Entry therein or of any Document filed under the Provisions of this Act; and any Document purporting to be a Copy certified by the said Registrar, or to be sealed with the Seal of his Office, shall be admissible in Evidence of the original Entry or Document of which it purports to be a Copy, without further Proof in any Civil Proceeding; and any Document so purporting to be a Copy of any original Document required by this Act to be kept and filed shall be primâ facie Evidence in any Civil Proceeding that the Original was signed, subscribed, and attested by the Person or Persons respectively purporting to have signed, subscribed, or attested the same, and that the Person before whom any solemn Declaration purporting to have been made and subscribed had competent Authority to administer the same.

Certified Copies of Documents and Entries to be Evidence.

All Applications to Registrar may be sent by Post.

19. All Applications to the Registrar for Registration or for Copies of any Registration, and all Documents required to be laid before such Registrar, may be sent by Post, if sufficiently stamped or prepaid; and all Certificates and Copies of any Registration shall be sent by Post by the Registrar to the Parties applying for such Certificates or Copies, if they shall so require, upon Payment of the Postage and of a proper Fee.

All Fees may be paid by Post Office Order.

20. All Fees payable for Registration under this Act, or for entering any Memorandum or Reference, or for any Copy of any Registration, may be sent by Post Office Order or Postage Stamps for the Payment of Money; and the Registrar shall not attend to any Application by Post for Registration or Copies, or otherwise, unless the same be accompanied by a Post Office Order or Orders for the full Amount required.

Clause C. Persons forgoing Signature of

21. Any Person who shall forge the Signature of the Registrar, or any Signature or Attestation required under this Act, or forge or counterfeit any Seal of the Office of the said Registrar, or knowingly utter

utter or put forth any such forged or counterfeit Signature, Attestation, or Seal, shall be guilty of Felony, and shall upon Conviction be liable to Penal Servitude for any Term not exceeding Ten Years and not less than Three Years, or to Imprisonment with Hard Labour for any Term not exceeding Two Years; and any Person who shall, in the Statement of any Particulars required by this Act to be sent or delivered to the Registrar, wilfully state falsely any of the Matters or Things hereby required to be so stated shall be guilty of a Misdemeanor, and shall be liable upon Conviction to Fine or Imprisonment, with or without Hard Labour, for any Term not exceeding Two Years, or to such Fine and Imprisonment.

Registrar, &c. to be guilty of Felony.

Partnership Law Amendment.

A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE]

To amend the Law relating to Partnerships.

(*Prepared and brought in by Mr. Scholefield, Mr. Murray, and Mr. Stansfeld.*)

Ordered, by The House of Commons, *to be Printed,* 18 *June* 1863.

[Bill 172.]

Under 2 oz.

Partnership Law Amendment Bill.

[AS AMENDED BY THE SELECT COMMITTEE AND ON RE-COMMITMENT.]

ARRANGEMENT OF CLAUSES.

Short Title; Sect. 1.

Interpretation of Terms; 2.

Lenders of Money may, under certain Conditions, receive a Share of Profits without being Partners; 3.

Certain Particulars as to such Loan to be registered; 4.

The Registrar of Joint Stock Companies to be Registrar under this Act; 5.

Loans to be registered within Fourteen Days. No Person entitled to the Benefit of this Act unless Sums paid or advanced at the Time specified in the Registration; 6.

Money not to be repaid before the Time specified in the Register; 7.

Lenders of Money violating the foregoing Sections to be General Partners; 8.

The Firm of a Limited Partnership shall not include the Name of any Limited Partner, or else Limited Partner to become General Partner; 9.

Dissolution of Limited Partnership. Liability of Representatives of Limited Partner; 10.

On Dissolution of Limited Partnership, Money lent to become a Debt; 11.

Clause A.—On Dissolution of Limited Partnership by mutual Consent, the General Partner or Partners to cause Entry of Dissolution to be appended to the Registration, and inserted in the Gazette; 12.

General Partners only to be made bankrupt. Rights and Liabilities of Limited Partner in case of Bankruptcy of General Partners; 13.

Clerks may be paid by Portion of Profits without thereby becoming Partners; 14.

Clause B.—Persons required to cause Registration to sign a Statement of Particulars to be registered; 15.

Provision of Sect. 174. of the Companies Act, 1862, to apply to Registration under this Act; 16.

Register Books to be open. Certified Copies of Documents and Entries to be Evidence; 17.

All Applications to Registrar may be sent by Post; 18.

All Fees may be paid by Post Office Order; 19.

Clause C.—Persons forging Signature of Registrar, &c. to be guilty of Felony; 20.

Clause D.—Recovery of Penalties; 21.

A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE AND ON RE-COMMITMENT]

TO

Amend the Law relating to Partnerships.

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited as the "Partnership Law Amendment Act, 1863."

Interpretation of Terms.

2. In the Construction of this Act the following Words shall be construed as herein-after mentioned:

"Trading Concern."

"Trading Concern" shall mean any Business of Commerce, Trade, Manufacture, or Calling, whether carried on by One Person or by more than One Person in Copartnership:

"General Partner."

"General Partner" shall have the same Signification as the Word "Partner" had previously to the passing of this Act:

"Limited Partnership."

"Limited Partnership" shall mean any Partnership which shall contain One or more Limited Partners:

"Share of Profits."

"Share of Profits" shall include not only a Share of Profits properly so called, but any Payment varying with, or dependent upon or payable out of the Profits of a Trading Concern, whether the same be payable in One Sum or more, or at certain or uncertain Times:

"Lending Money."

Any Person shall be construed to "lend Money," within the Meaning of this Act, who shall either advance Money to a Trading Concern, or who, being entitled, whether as a retiring Partner or otherwise, to demand and receive present Payment of the Value of any Share or Interest of or in the Capital or other Funds of a Trading Concern, shall, after the Value thereof shall have been ascertained between such Person and the Person or Persons liable to pay the same, allow the same to remain therein, or to be used by such Person or Persons for the Purposes of such Trading Concern.

Lenders of Money may, under certain Conditions, receive a Share of Profits without being Partners.

3. It shall be lawful for any Person, subject to the Provisions of this Act, to lend Money to any Person engaged or about to engage in any Trading Concern, upon the Terms of receiving in lieu of a fixed Rate of Interest or Remuneration for the same, or in addition thereto, a Share of Profits, or of sharing Profits and Losses, without becoming by reason thereof a General Partner with such Person, but upon such Loan being made the Person making the same shall become and be a Limited Partner with the Person to whom the same is made.

Certain Particulars as to such Loan to be registered.

4. In order to entitle the Persons constituting any Limited Partnership to the Benefit of this Act, the following Particulars shall be registered in the Manner herein-after provided:

(1.) The Surname and Christian Name or other Name or Names in full, and the Place or Places of Residence of each of the Partners, and whether he be a General or a Limited Partner:

(2.) The Nature of the Business and of the Place or Places at which it is carried on or to be carried on:

(3.) The Name of the Firm or Style in which the said Trading Concern is or is to be carried on:

(4.) The Sum or Sums of Money lent or to be lent by each Limited Partner, the Time or Times at which such Sum or Sums shall have been or shall be so lent, and the Time or Times at which the same shall become or be repayable.

The Registrar of Joint Stock Companies to be Registrar under this Act.

5. The Registrar of Joint Stock Companies shall be the Registrar under this Act, and shall be called the Registrar of Joint Stock Companies and Partnerships.

6. Every

Loans to be registered within 14 Days.

6. Every Registration of any Sum or Sums of Money lent or to be lent under this Act shall be effected within Fifteen Days after such Sum or any Portion thereof shall have been lent by the Person lending to the Person borrowing the same; and no Person lending Money shall be entitled to the Benefit of this Act in respect thereof unless the several Sums specified in the Registration shall be lent to the Person borrowing the same, or at the Time or at the Times respectively specified in that Behalf in such Registration, or within Fourteen Days thereof.

No Person entitled to the Benefit of this Act, unless Sums paid or advanced at the Time specified in the Registration.

Money not to be repaid before the Time specified in the Register.

7. Except in the Cases herein-after provided, no Part of the Money lent under the Provisions of this Act shall be repaid, satisfied, or secured in any Manner before the Expiration of the Time registered as aforesaid in that Behalf.

Lenders of Money violating foregoing Sections to be General Partners.

8. Any such Limited Partner as aforesaid who shall violate the Provisions of the foregoing Sections or either of them shall become and be a General Partner with the Person to whom it is lent.

The Firm of a Limited Partnership shall not include the Name of any Limited Partner, or else Limited Partner to become General Partner.

9. The Firm or Style used by the Limited Partnership shall be the same as that registered, and shall not include the Name and Surname in full of any Limited Partner, or any Name identical therewith, and any Limited Partner whose Name shall appear or be included in any registered Firm or Style shall become and be a General Partner.

Dissolution of Limited Partnership.

Liability of Representatives of Limited Partner.

10. A Limited Partnership shall be dissolved as to any Limited Partner upon the Arrival of the Time at which the Sum of Money lent by such Limited Partner, or the latest Time at which any Portion or Instalment of such Sum, or the last of such Sums, becomes repayable to him, or by the Death or Bankruptcy of One or more of the General Partners, or by mutual Consent, or upon the General Partner or Partners ceasing to carry on the Trading Concern; and the Executors or Administrators of any Limited Partner shall in all Cases, as respects the Assets of such deceased Limited Partner which may come to their Hands to be administered, be subject to the same Liabilities as such Limited Partner would have been subject to if he had lived.

On Dissolution of Limited Partnership, Money lent to become a Debt.

11. Upon the Dissolution of any Limited Partnership the Sum or Sums lent by any Limited Partner as to whom the said Partnership shall be dissolved, shall, in default of any Agreement to the contrary, become an ordinary Debt or ordinary Debts, and the Person to whom it or they is or are due respectively may demand and sue for the same as such: Provided always, that upon such Dissolution the Person having been such Limited Partner may renew the said

Loan upon the same or any new or varied Terms, and thereupon a fresh Registration shall be effected, and such Person shall thereupon again become a Limited Partner in respect of the Sum, and upon the Terms specified of the last-mentioned Registration: Provided also, that it shall be lawful for any Limited Partner at any Time to lend any further Sum to the General Partner or Partners in any Trading Concern, or to extend the Period for which any subsisting Loan shall be made, and thereupon a fresh Registration shall be effected in respect of the Sum or Sums of Money already registered, as well as of the said further Loan, or the Particulars required by this Act to be registered of such extended Loan, as the Case may be, and an Entry shall be appended to the former Registration to the Effect that it is superseded.

Clause A. On Dissolution of Limited Partnership by mutual Consent, the General Partner or Partners to cause Entry of Dissolution to be appended to the Registration, and inserted in Gazette.

12. Upon the Dissolution of any Limited Partnership by mutual Consent, the General Partner or Partners shall, within Fourteen Days thereafter, cause an Entry of such Dissolution to be appended to the Registration of the Limited Partnership, and shall within the same Period cause such Dissolution to be advertised in the London Gazette.

Peneral Gartners only to be made bankrupt.

13. The General Partner or Partners only of a Limited Partnership shall be liable to be made bankrupt in respect of the Dealings or Liabilities of such Partnership, but in case of such Bankruptcy no Limited Partner shall be entitled to receive from the Estate of such Bankrupt any Portion of the Principal Sum or Sums of Money still remaining unpaid, or any Arrears of any Profits or Interest or other Sum payable in respect thereof, or of his being such Limited Partner, until all the other Creditors of such Bankrupt or Bankrupts whose Debts were contracted during the Existence of such Limited Partnership have been fully satisfied; and in case the General Partner or Partners of a Limited Partnership, or the last Survivor of them, should be adjudicated bankrupt, or make any Assignment for the Benefit of or Composition with Creditors, within Twelve Calendar Months after the Dissolution of a Limited Partnership, every Person who was a Limited Partner therein shall be liable to make good to the Persons who at the Time of such Dissolution were Creditors of such Bankrupt or Bankrupts, and whose Debts were contracted during the Existence of such Limited Partnership, any Deficiency of Assets to the Extent of such Portion of the Sum of Money in respect of which he was such Limited Partner as may have been repaid, secured, or satisfied to him upon or since the said Dissolution, and no further, and in case of the Bankruptcy of such Limited Partner the Amount of such Deficiency as aforesaid shall be proveable as a Debt against his Estate.

Rights and Liabilities of Limited Partner in case of Bankruptcy of General Partners.

14. It

Clerks may be paid by Portion of Profits without thereby becoming Partners.

14. It shall be lawful for any Clerk, Manager, or Servant in the Employment of any Person or Persons engaged in any Trading Concern to receive or to contract to receive, in lieu of or in addition to any fixed Salary or Wages, a Share of Profits, without thereby acquiring any Right or being or becoming subject to any Liabilities of a General Partner.

CLAUSE B.

Persons required to cause Registration to sign a Statement of Particulars to be registered.

15. In any Case in which Registration is required by this Act the Persons whose Duty it is to cause such Registration to be made, or One of them, shall sign, and send or deliver, or cause to be sent or delivered, to the Registrar a Statement in Writing containing the Particulars required to be registered; and such Signature shall be attested in England or Ireland by a Justice of the Peace or Attorney, and in Scotland by a Justice of the Peace, Notary, Writer to the Signet, Solicitor in the Supreme Courts, or Procurator before a Sheriff Court, and the Registrar shall keep and file the said Statement, and shall cause the said Particulars to be registered accordingly.

Provision of Sect. 174. of the Companies Act, 1862, to apply to Registration under this Act.

16. The Provisions of the One hundred and seventy-fourth Section of the Companies Act, 1862, shall apply to Registration under this Act, so far as the same are applicable, and except as herein-after provided; and the Board of Trade may, with the Sanction of the Commissioners of the Treasury, direct an Increase of Salary to be paid to the existing Registrar of Joint Stock Companies, and such additional Assistant Registrars, Clerks, and other Officers as may be necessary for the Purpose of carrying this Act into execution shall be appointed, at such a Salary as the Board of Trade may, with the Sanction of the Commissioners of the Treasury, direct; and the Board of Trade shall cause to be prepared and kept proper Books, Forms, and Indexes, for the Purpose of carrying this Act into execution, and may make such Regulations, and fix such Fees, and from Time to Time vary or alter the same or any Part thereof, as they may deem expedient; and all Fees received under this Act shall be paid to the Receipt of Her Majesty's Exchequer, and be carried to the Account of the Consolidated Fund of the United Kingdom of Great Britain and Ireland; and all such Regulations and Fees, and any Alterations or Variations thereof, shall be published in the London Gazette, and shall take effect from the Time mentioned therein.

Register Books to be open.

Certified Copies of

17. The Register Books and Indexes to be kept under this Act shall be open at suitable Times to the Inspection of any Person requiring to inspect the same, on Payment of a proper Fee; and the Registrar shall furnish to every Person requiring it, upon Payment of a proper Fee, Copies of any Entry therein or of any Document filed under the Provisions of this Act; and any Document purporting to

Documents and Entries to be Evidence.

to be a Copy certified by the said Registrar, or to be sealed with the Seal of his Office, shall be admissible in Evidence of the original Entry or Document of which it purports to be a Copy, without further Proof in any Civil Proceeding; and any Document so purporting to be a Copy of any original Document required by this Act to be kept and filed shall be primâ facie Evidence in any Civil Proceeding that the Original was signed, subscribed, and attested by the Person or Persons respectively purporting to have signed, subscribed, or attested the same.

All Applications to Registrar may be sent by Post.

18. All Applications to the Registrar for Registration or for Copies of any Registration, and all Documents required to be laid before such Registrar, may be sent by Post, if sufficiently stamped or prepaid; and all Certificates and Copies of any Registration shall be sent by Post by the Registrar to the Parties applying for such Certificates or Copies, if they shall so require, upon Payment of the Postage and of a proper Fee.

All Fees may be paid by Post Office Order.

19. All Fees payable for Registration under this Act, or for entering any Memorandum or Reference, or for any Copy of any Registration, may be sent by Post Office Order or Postage Stamps for the Payment of Money; and the Registrar shall not attend to any Application by Post for Registration or Copies, or otherwise, unless the same be accompanied by a Post Office Order or Orders for the full Amount required.

Clause C. Persons forging Signature of Registrar, &c. to be guilty of Felony.

20. Any Person who shall forge the Signature of the Registrar, or any Signature or Attestation required under this Act, or forge or counterfeit any Seal of the Office of the said Registrar, or knowingly utter or put forth any such forged or counterfeit Signature, Attestation, or Seal, shall be guilty of Felony, and shall upon Conviction be liable to Penal Servitude for any Term not exceeding Ten Years and not less than Three Years, or to Imprisonment with Hard Labour for any Term not exceeding Two Years; and any Person who shall, in the Statement of any Particulars required by this Act to be sent or delivered to the Registrar, wilfully state falsely any of the Matters or Things hereby required to be so stated shall be guilty of a Misdemeanor, and shall be liable upon Conviction to Fine or Imprisonment, with or without Hard Labour, for any Term not exceeding Two Years, or to such Fine and Imprisonment.

Clause D. Recovery of Penalties.

21. Every Offence under Section Twelve of this Act may be prosecuted summarily before Two Justices of the Peace, as to England in manner directed by an Act passed in the Session of Parliament holden in the Eleventh and Twelfth Years of the Reign of Her Majesty

Majesty Queen Victoria, Chapter Forty-three, and as to Scotland before Two or more Justices, or the Sheriff of the County, in the Manner directed by an Act passed in the Session of Parliament holden in the Seventeenth and Eighteenth Years of the Reign of Her Majesty Queen Victoria, Chapter One hundred and four, as regards Offences in Scotland against that Act, not being Offences by that Act described as Felonies or Misdemeanors, and as to Ireland in the Manner directed by an Act passed in the Session of Parliament holden in the Fourteenth and Fifteenth Years of the Reign of Her Majesty Queen Victoria, Chapter Ninety-three, or any Act passed for the Amendment of those Acts, or of the Procedure, Practice, Remedies, or Jurisdiction by them established or enacted.

Partnership Law Amendment.

A

B I L L

[AS AMENDED BY THE SELECT COMMITTEE AND ON RE-COMMITMENT]

To amend the Law relating to Partnerships.

(*Prepared and brought in by Mr. Scholefield, Mr. Murray, and Mr. Stansfeld.*)

Ordered, by The House of Commons, *to be Printed*, 15 *July* 1863.

[Bill 242.]

Under 2 oz.

Passengers Act Amendment Bill.

ARRANGEMENT OF CLAUSES.

Short Title; Sect. 1.

Commencement of Act; 2.

Definition of "Passenger Ship" enlarged; 3.

Mail Steamers carrying other than Cabin Passengers to be subject to the Act; 4.

Repeal of Tonnage Check on Number of Passengers to be carried in a Passenger Ship; 5.

Cabin Passengers to be included in Passenger Lists; 6.

Limit of Penalty on Stowaways extended from Five Pounds to Twenty Pounds; 7.

Horses and Cattle may be carried in Passenger Ships, under certain Conditions. Definition of the Term "large Cattle." Dogs and Pigs; 8.

Issue of Lime Juice; 9.

Substitution of soft Bread for other Bread Stuffs; 10.

Provisions of Section 46 of recited Act extended to Cabin Passengers, and Passage Money made recoverable immediately on relanding; 11.

Repeals Sections 12, 51, 53, and 54. of "Passengers Act, 1855," and substitutes other Provisions; 12.

Forfeiture of Ship if Master proceeds to Sea without Certificate of Clearance, &c. Such Ship to be dealt with as if seized under Laws relating to Customs. Secretary of State may release Ships on Payment of a Mulct; 13.

In case of Wreck or Damage in or near the United Kingdom, Passengers to be provided with a Passage by some other Vessel, and maintained in the meantime; 14.

Governors or Consuls may send on Passengers if the Master of the Ship fail to do so; 15.

Expenses incurred under the Two preceding Sections to be a Crown Debt. Passengers forwarded by Governor, &c. not entitled to Return of Passage Money; 16.

Bond to repay Expenses of rescuing and forwarding shipwrecked Passengers, where Owners and Charterers of Vessels reside abroad; 17.

The "Passengers Act, 1855," and this Act, to be construed as One Act; 18.

SCHEDULE.

A

B I L L

TO

Amend the Passengers Act, 1855.

WHEREAS it is expedient to amend "The Passengers Act, 1855," in the Particulars herein-after mentioned: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. This Act may be cited for all Purposes as "The Passengers Act Amendment Act, 1863." Short Title.

2. This Act shall come into operation on the *First Day of October One thousand eight hundred and sixty-three.* Commencement of Act.

3. The Definition in the Third Section of "The Passengers Act, 1855," of the Term "Passenger Ship," is hereby repealed, and for the Purposes of the said Act and of this Act the Term "Passenger Ship" shall signify every Description of Sea-going Vessel, whether British or Foreign, carrying, upon any Voyage to which the Provisions of the said "Passengers Act, 1855," shall extend, more than *Fifty* Passengers in all, or a greater Number of Passengers than in the Proportion of One Statute Adult to every *Thirty-three* Tons of the Definition of "Passenger Ship" enlarged.

the registered Tonnage of such Ships, if propelled by Sails, or than One Statute Adult to every *Twenty* Tons, if propelled by Steam.

Mail Steamers carrying other than Cabin Passengers to be subject to the Act.

4. So much of the Fourth Section of the said "Passengers Act, 1855," as exempts from the Operation of the Act any Steam Vessel carrying Mails under Contract with the Government of the State or Colony to which such Vessel may belong, is hereby repealed, and every Steam Vessel, whether British, Foreign, or Colonial, which shall carry Passengers other than Cabin Passengers in sufficient Number to bring such Vessel within the Definition of a Passenger Ship, as set forth in the Third Section of this Act, shall be subject to the Provisions of the said Act and of this Act in like Manner as any Passenger Ship not carrying a Mail.

Repeal of Tonnage Check on Number of Passengers to be carried in a Passenger Ship.

5. The First Rule of the Fourteenth Section of the said "Passengers Act, 1855," which limits the Number of Persons to be carried in a Passenger Ship by her registered Tonnage, together with so much of the concluding Portion of the same Section as relates to such Rule, is hereby repealed, except so far as relates to any Penalty incurred or legal Proceedings taken thereunder.

Cabin Passengers to be included in Passenger Lists.

6. In the Passenger Lists required by the Sixteenth and Seventeenth Sections of "The Passengers Act, 1855," to be delivered by the Master of every Ship before demanding a Clearance, there shall be set forth, in addition to the other Particulars required by "The Passengers Act, 1855," the Names of all Cabin Passengers on board such Ships, specifying whether they respectively are under or over Twelve Years of Age, and at what Place the Passengers and Cabin Passengers respectively are to be landed, and the Schedule B. to the said Act shall be altered accordingly.

Limit of Penalty on Stowaways extended from Five Pounds to Twenty Pounds.

7. The Limit of the Penalty imposed by the Eighteenth Section of the said "Passengers Act, 1855," on Persons convicted of getting on board any Passenger Ship with Intent to obtain a Passage therein without the Consent of the Owner, Charterer, or Master thereof, and on Persons aiding or abetting in such fraudulent Attempt, shall be extended from Five Pounds to *Twenty Pounds*.

Horses and Cattle may be carried in Passenger Ships, under certain Conditions.

8. Notwithstanding the Prohibition contained in the Twenty-ninth Section of the said "Passengers Act, 1855," Horses and Cattle may be carried as Cargo in Passenger Ships, subject to the following Conditions:

(1.) That the Animals be carried only on the Spar or Weather Deck, and not in or adjoining any Compartment in which Passengers are berthed:

(2.) That

(2.) That clear Space on the Spar or Weather Deck be left for the Use and Exercise of the Passengers, at the Rate of at least *Fifteen* Superficial Feet for each Statute Adult:

(3.) That no greater Number of Passengers be carried than in the Proportion of *Ten* to every One hundred Tons of the Ships registered Tonnage:

(4.) That in Passenger Ships of less than Five hundred Tons registered Tonnage not more than *Two* Head of large Cattle be carried, nor in Passenger Ships of larger Tonnage more than One additional Head of such Cattle for every additional *Two hundred* Tons of the Ships registered Tonnage, nor more in all in any Passenger Ship than *Six* Head of such Cattle: The Term "large Cattle" shall include both Sexes of horned Cattle, Deer, Horses, and Asses; Four Sheep of either Sex, or Four Female Goats, shall be equivalent to, and may, subject to the same Conditions, be carried in lieu of One Head of large Cattle: Definition of the Term "large Cattle."

(5.) That proper Arrangements be made, to the Satisfaction of the Emigration Officer at the Port of Clearance, for the Housing, Maintenance, and Cleanliness of the Animals, and for the Stowage of their Fodder:

(6.) Not more than Six Dogs, and no Pigs or Male Goats, shall be conveyed as Cargo in any Passenger Ship: For any Breach of this Prohibition, or of any of the above Conditions, the Owner, Charterer, and Master of the Ship, or any of them, shall be liable for each Offence to a Penalty not exceeding *Three hundred Pounds* nor less than *Five Pounds*. Dogs and Pigs.

9. The Requirements of the Thirty-fifth Section of the said "Passengers Act, 1855," that Six Ounces of Lime Juice should be issued weekly to each Statute Adult on Voyages exceeding Eighty-four Days in Duration for Sailing Vessels, or Fifty Days for Steamers, shall be confined to the Period when the Ship shall be within the Tropics; during the other Portions of the Voyage the Issue of Lime Juice shall be at the Discretion of the Medical Practitioner on board; or, if there be no such Practitioner on board, at the Discretion of the Master of the Ship. Issue of Lime Juice.

10. In addition to the Substitutions in the Dietary Scales specified in the Thirty-fifth Section of the said "Passengers Act, 1855," soft Bread baked on board may be issued, at the Option of the Master of any Passenger Ship, in lieu of the following Articles, and in the following Proportions; (that is to say,) *One Pound and a Quarter of a Pound* of such soft Bread may be issued in lieu of One Pound of Flour, or of One Pound of Buscuit, or of One Substitution of soft Bread for other Bread Stuffs.

Pound and a Quarter of a Pound of Oatmeal, or of One Pound of Rice, or of One Pound of Peas.

Provisions of Section 46. of recited Act extended to Cabin Passengers, and Passage Money made recoverable immediately on relanding.

11. The Forty-sixth Section of the said "Passengers Act, 1855," shall be applicable to Cabin as well as to other Passengers landed on account of Sickness; and the Passage Money of all Cabin or other Passengers so landed may be recovered in the Manner pointed out in the said Act, upon the Delivery up of their Contract Tickets, and notwithstanding that the Ship may not have sailed.

Repeals Sections 12, 51, 53, and 54. of "Passengers Act, 1855," and substitutes other Provisions.

12. The Twelfth, Fifty-first, Fifty-third, and Fifty-fourth Sections of the said "Passengers Act, 1855," shall be and the same are hereby repealed, except as to the Recovery and Application of any Penalty for any Offence committed against the said Act, and except so far as may be necessary for supporting or continuing any Proceeding heretofore taken or hereafter to be taken thereunder; and in lieu of the Enactments contained in such Sections the Enactments in the Four next following Sections shall respectively be substituted; (that is to say,)

Forfeiture of Ship if Master proceeds to Sea without Certificate of Clearance, &c.

13. If any Passenger Ship shall clear out or proceed to Sea without the Master having first obtained such Certificate of Clearance, or without his having joined in executing such Bond to the Crown as by the said "Passengers Act, 1855," are required, or if such Ship, after having put to Sea, shall put into any Port or Place in the United Kingdom in a damaged State, and shall leave or attempt to leave such Port or Place with Passengers on board without the Master having first obtained such Certificate of Clearance as is required by Section Fifty of the said "Passengers Act, 1855," such Ship shall be forfeited to the Use of Her Majesty, and may be seized by any Officer of Customs, if found, within *Two* Years from the Commission of the Offence, in any Port or Place in Her Majesty's Dominions; and such Ship shall thereupon be dealt with in the same Manner as if she had been seized as forfeited for an Offence incurring Forfeiture under any of the Laws relating to the Customs: Provided that it shall be lawful for One of Her Majesty's Principal Secretaries of State to release, if he shall think fit, any such forfeited Ship from Seizure and Forfeiture, on Payment by the Owner, Charterer, or Master thereof, to the Use of Her Majesty, of such Sum not exceeding *Two thousand Pounds* as such Secretary of State may by any Writing under his Hand specify.

Such Ship to be dealt with as if seized under Laws relating to Customs.

Secretary of State may release Ships on Payment of a Mulct.

In case of Wreck or Damage in or near the

14. If any Passenger Ship shall be wrecked, or otherwise rendered unfit to proceed on her intended Voyage, while in any Port of the United Kingdom, or after the Commencement of the Voyage, and if the

the Passengers, or any of them, shall be brought back to the United Kingdom, or if any Passenger Ship shall put into any Port or Place in the United Kingdom in a damaged State, the Master, Charterer, or Owner shall, within *Forty-eight* Hours thereafter, give to the nearest Emigration Officer, or in the Absence of such Officer to the Chief Officer of Customs, a written Undertaking to the following effect, that is to say, if the Ship shall have been wrecked or rendered unfit, as aforesaid, to proceed on her Voyage, that the Owner, Charterer, or Master thereof shall embark and convey the Passengers in some other eligible Ship, to sail within *Six* Weeks from the Date thereof, to the Port or Place for which their Passages respectively had been previously taken; and if the Ship shall have put into Port in a damaged State, then that she shall be made seaworthy, and fit in all respects for her intended Voyage, and shall, within *Six* Weeks from the Date of such Undertaking, sail again with her Passengers; in either of the above Cases the Owner, Charterer, or Master shall, until the Passengers proceed on their Voyage, either lodge and maintain them on board in the same Manner as if they were at Sea, or pay to them Subsistence Money after the rate of *One Shilling and Sixpence* a Day for each Statute Adult, unless the Passengers shall be maintained in any Hulk or Establishment under the Superintendence of the Emigration Commissioners mentioned in the said Passengers Act, 1855, in which Case the Subsistence Money shall be paid to the Emigration Officer at such Port or Place. If the substituted Ship or damaged Ship, as the Case may be, shall not sail within the Time prescribed as aforesaid, or if default shall be made in any of the Requirements of this Section, such Passengers respectively, or any Emigration Officer on their Behalf, shall be entitled to recover, by summary Process, as in the said Passengers Act, 1855, is mentioned, all Monies which shall have been paid by or on account of such Passengers or any of them for such Passage, from the Party to whom or on whose Account the same may have been paid, or from the Owner, Charterer, or Master of such Ship, or any of them, at the Option of such Passenger or Emigration Officer: Provided that the said Emigration Officer may, if he shall think it necessary, direct that the Passengers shall be removed from such damaged "Passenger Ship" at the Expense of the Master thereof; and if after such Direction any Passenger shall refuse to leave such Ship, he shall be liable to a Penalty not exceeding *Forty Shillings* or to Imprisonment not exceeding *One Calendar Month*.

Kingdom, Passengers to be provided with a Passage by some other Vessel, and maintained in the meantime.

Power to remove Passengers from Ship;

Penalty on Passengers refusing.

15. If any Passenger or Cabin Passenger of any Passenger Ship shall, without any Neglect or Default of his own, find himself within any Colonial or Foreign Port or Place other than that for which

Governors or Consuls may send on Passengers if the Master

of the Ship fail to do so.

which the Ship was originally bound, or at which he or the Emigration Commissioners, or any public Officer or other Person on his Behalf, may have contracted that he should land, it shall be lawful for the Governor of such Colony, or for any Person authorized by him for the Purpose, or for Her Majesty's Consular Officer at such Foreign Port or Place, as the Case may be, to forward such Passenger to his intended Destination, unless the Master of such Ship shall, within *Forty-eight* Hours of the Arrival of such Passenger, give to the Governor or Consular Officer, as the Case may be, a written Undertaking to forward or carry on, within *Six* Weeks thereafter, such Passenger or Cabin Passenger to his original Destination, and unless such Master shall accordingly forward or carry him on within that Period.

Expenses incurred under the Two preceeding Sections to be a Crown Debt.

16. All Expenses incurred under the last preceding Section or under the Fifty-second Section of "The Passengers Act, 1855," or either of them, by or by the Authority of such Secretary of State, Governor, or Consular Officer, or other Person, as therein respectively mentioned, including the Cost of maintaining the Passengers until forwarded to their Destination, and of all necessary Bedding, Provisions, and Stores, shall become a Debt to Her Majesty and Her Successors from the Owner, Charterer, and Master of such Ship, and shall be recoverable from them, or from any One or more of them, at the Suit and for the Use of Her Majesty, in like Manner as in the Case of other Crown Debts; and a Certificate in the Form in Schedule (A.) hereto annexed, or as near thereto as the Circumstances of the Case will admit, purporting to be under the Hand of any such Secretary of State, Governor, or Consular Officer, (as the Case may be,) stating the total Amount of such Expenses, shall in any Suit or other Proceeding for the Recovery of such Debt be received in Evidence without Proof of the Handwriting or of the official Character of such Secretary of State, Governor, or Consular Officer, and shall be deemed sufficient Evidence of the Amount of such Expenses, and that the same were duly incurred; nor shall it be necessary to adduce on behalf of Her Majesty any other Evidence in support of the Claim, but Judgment shall pass for the Crown, with Costs of Suit, unless the Defendant shall specially plead and duly prove that such Certificate is false or fraudulent, or shall specially plead and prove any Facts showing that such Expenses were not duly incurred under the Provisions of this Act, and of the said "Passengers Act, 1855," or either of them: Provided nevertheless, that in no Case shall any larger Sum be recovered on account of such Expenses than a Sum equal to *twice* the total Amount of Passage Money received or due to and recoverable by or on account of the Owner, Charterer, or Master of such Passenger Ship, or any of them, for

for or in respect of the whole Number of Passengers and Cabin Passengers who may have embarked in such Ship; which total Amount of Passage Money shall be proved by the Defendant, if he will have the Advantage of this Limitation of the Debt; but if any such Passengers are forwarded or conveyed to their intended Destination under the Provisions of the last preceding Section, they shall not be entitled to the Return of their Passage Money, or to any Compensation for Loss of Passage under the Provisions of the said "Passengers Act, 1855."

Passengers forwarded by Governor, &c. not entitled to Return of Passage Money.

17. In the Case of a Passenger Ship, of which neither the Owners nor Charterers reside in the United Kingdom, the Bond required to be given to the Crown by the Sixty-third Section of the "Passengers Act, 1855," shall be for the Sum of *Five thousand Pounds* instead of Two thousand Pounds; and an additional Condition shall be inserted in such Bond to the Effect that the Obligors therein shall, subject to the Provisions and Limitations herein-before contained, be liable for and shall pay to Her Majesty and Her Successors, as a Crown Debt, all Expenses which may be incurred under the Provisions herein-before and in the "Passengers Act, 1855," contained, in rescuing, maintaining, and forwarding to their Destination any Passengers of such Ships who by reason of Shipwreck or any other Cause, except their own Neglect or Default, may not be conveyed to their intended Destination by or on behalf of the Owner, Charterer, or Master of such Ship.

Bond to repay Expenses of rescuing and forwarding Shipwrecked Passengers, where Owners and Charterers of Vessel reside abroad.

18. The said "Passengers Act, 1855," and this Act, shall be construed together as One Act.

The "Passengers Act, 1855," and this Act to be construed as One Act.

SCHEDULE (A.)

Form of Governor's or Consul's Certificate of Expenditure in the Case of Passengers shipwrecked, &c.

I hereby certify that, acting under and in conformity with the Provisions of the British "Passengers Act, 1855," and of the "Passengers Act Amendment Act, 1863," I have defrayed the Expenses incurred in rescuing, maintaining, supplying with necessary Bedding, Provisions, and Stores (*a*), and in forwarding to their Destination Passengers [including Cabin Passengers (*b*)], who were proceeding from to in the Passenger Ship , which was wrecked at Sea, &c. (*c*).

And I further certify, for the Purposes of the Tenth Section of the said "Passengers Amendment Act, 1863," that the total Amount of such Expenses is Pounds, and that such Expenses were duly incurred by me under the said Acts or one of them.

Given under my Hand, this Day of 18 .

{ *Governor of, &c.,* (or, as the Case may be,) *Her Britannic Majesty's Consul at*

(*a*). N.B.—1. If more Passengers were rescued than forwarded, or if Bedding, &c., was not supplied, alter the Certificate to suit the Facts of the Case.

(*b*). N.B.—2. Omit Words in Brackets when necessary.

(*c*). N.B.—3. State generally the Nature of the Disaster and where it occurred. But if the Passengers were only left behind, without any Default of their own, state the Fact accordingly.

A

BILL

TO

Amend the Lunacy Acts in relation to the building of Asylums for Pauper Lunatics.

WHEREAS by "The Lunatic Asylums Act, 1853," the Justices of every County and Borough are required to provide an Asylum for the Reception of their Pauper Lunatics, but Power is given to Two or more Counties and Boroughs to unite together for the Purpose of providing an Asylum for their common Use: And whereas by the said Act County is defined to include a County of a City or County of a Town, and Borough is defined to mean every Borough, Town, and City Corporate having a Quarter Sessions, Recorder, and Clerk of the Peace: And whereas by "The Lunacy Acts Amendment Act, 1862," it is provided that the Word "County" shall not, except in the Case of the City of London, mean a County of a City or County of a Town: And whereas certain Counties of Towns have Quarter Sessions, but such Quarter Sessions are not held by a Recorder: And whereas at the Date of the passing of the last-mentioned Act certain Agreements were pending for the Union, with a view to a common Asylum, of certain Counties, including Counties of Towns: And whereas it is expedient to confirm such Agreements in certain Cases, notwithstanding that by virtue of the last-mentioned Act a County of a Town is no longer Preamble.

longer included under the Term "County," and is by such Exclusion rendered incapable of carrying into effect such Agreement; and it is also expedient to declare that Counties of Towns and Counties of Cities having separate Courts of Quarter Sessions are to be deemed to be Boroughs for the Purposes of the said Lunatic Asylums Act, 1853, notwithstanding that they may not have Recorders: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Confirmation of certain Agreements between Counties.

1. Where, in pursuance of "The Lunatic Asylums Act, 1853," an Agreement for providing a common Asylum has been duly entered into between divers Counties, properly so called, and such Agreement has been afterwards varied by the Admission as a Party thereto of a County of a City or County of a Town, the original Agreement shall be binding on the Counties originally Parties thereto, in the same Manner as if no Variation of such Agreement had been made.

Definition of Borough.

2. For the Purposes of "The Lunatic Asylums Act, 1853," and any Act amending the same, a County of a City or County of a Town that has a separate Commission of the Peace and a separate Court of Quarter Sessions shall be included under the Term "Borough," the Chairman or other Person presiding at such Court of Quarter Sessions shall be included under the Term "Recorder," and the Justice acting under such separate Commission of the Peace shall be included under the Expression "Justices of a Borough" or other Expression referring to "Borough Justices."

Short Title of Act.

3. This Act may be cited for all Purposes as "The Lunacy Acts Amendment Act, 1863."

LORDS AMENDMENTS

TO THE

PAUPER LUNATIC ASYLUMS BILL.

Note.—*The Page and Line refer to the Bill* (245.) *as printed by the Lords.*

Page 2.

Line 4. Leave out from (" Agreement") to (" Be") in Line 8.

Leave out Clause 2.

[Bill 270.]

LORDS AMENDMENTS

TO THE

PAUPER LUNATIC ASYLUMS BILL.

Ordered, by The House of Commons, *to be Printed,*
24 *July* 1863.

[Bill 270.]

Under 1 *oz.*

A

B I L L

TO

Amend the Law as regards Persons charged with Petty Offences, and to enable such Persons and their Wives to give Evidence.

WHEREAS it is expedient to admit the Evidence of Persons charged with certain Petty Offences punishable by summary Conviction before a Magistrate or Justices of the Peace, and the Evidence of the Husbands and Wives of such Persons, and to make further Provision for the bailing of Persons charged with such Offences: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,) Preamble.

1. In all Cases where any Person shall be charged with any Offence punishable by summary Conviction before Justices of the Peace or a Magistrate, the Person so charged, and his or her Husband or Wife, shall be competent to give Evidence on the hearing of such Charge, and in all Cases where such Offence consists of Annoyance to any Inhabitants or Passengers it shall be necessary to adduce Evidence to the Satisfaction of the Magistrate other than that of the Police In cases of Offences punishable by summary Conviction the Person charged, and his or her Husband or Wife, to give Evidence, &c.

Police or Constable by whom any Person shall be apprehended of such Annoyance having been occasioned.

In certain Cases Constable in charge of Station to take a Deposit as Security for a Person's Appearance to answer Charge.

2. Whenever any Person charged with any Offence not amounting to Felony or to an aggravated or indecent Assault, and for which such Person is liable to be summarily convicted as herein-before mentioned, shall be in the Custody of any Police Constable in charge of any Station House, without the Warrant of any Justice or Magistrate, it shall be lawful for such Constable at any Time when such Person so charged cannot immediately be taken before a Justice or Magistrate, in addition to such Person's own Recognizance, and with or without any Bail, to take a Deposit of such Sum of Money as he shall deem reasonable as Security for such Person's Appearance to answer such Charge, and such Deposit shall be returned to such Person on his or her so appearing; but in case such Person shall not so appear, the Money deposited shall be forfeited, and be applied in the same Manner as any Penalty recovered from any Person summarily convicted, and the Constable shall enter in some Book to be kept for that Purpose at every such Station House the Amount of any Sum tendered as a Deposit, and whether the same has been accepted or refused.

Constable refusing Bail to enter in a Book the Names, &c. of Persons offered, with his Reasons for Refusal.

3. Whenever any Bail shall be offered to such Constable for the Appearance of any Person to answer any Charge for any Offence punishable as herein-before mentioned, and not amounting to Felony, or an aggravated or indecent Assault, and such Constable shall refuse to accept such Bail, such Constable shall enter in a Book, to be kept for that Purpose at each such Station House, the Name, Residence, and Occupation of the Person or Persons so offered, and the Reasons for which such Constable refuses to accept such Bail.

13 *July* 1863. 26 & 27 Vict.

A

BILL

TO

Amend the Petty Sessions (Ireland) Act (1851), and the Petty Sessions Clerks (Ireland) Act (1858).

Preamble.

WHEREAS Doubts have been entertained whether Complaints and Proceedings in reference to the Matters hereinafter specified are subject to the Provisions of the Petty Sessions (Ireland) Act, 1851, and the Petty Sessions Clerks (Ireland) Act, 1858, and it is expedient to ensure Uniformity of Practice at Petty Sessions in relation to such Complaints and Proceedings: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisions of recited Acts to apply to Complaints or Proceedings under 3 & 4 W. 4. c. 68. and 6 & 7 W. 4. c. 38. in Cases specified.

1. From and after the *passing of this Act* the Provisions of the Petty Sessions (Ireland) Act, 1851, and of the Petty Sessions Clerks (Ireland) Act, 1858, (anything therein to the contrary notwithstanding,) shall apply to all Complaints or Proceedings under the Act of the Third and Fourth of William the Fourth, Chapter Sixty-eight, and the Act of the Sixth and Seventh of William the Fourth, Chapter Thirty-eight, and every Matter or Thing connected therewith, relating to Publicans keeping their Houses of Business open within prohibited

prohibited Hours, or to Persons within such Hours tippling or gaming therein, or refusing to quit the same, or resisting the Entry of Parties by Law authorized to enter therein, or to Publicans allowing illegal Assemblies or Societies on their Premises, or hanging out Flags or Emblems therefrom, or to Persons found drunk in any public Place or Thoroughfare.

Short Title.

2. This Act may be cited as "The Petty Sessions (Ireland) Amendment Act, 1863."

LORDS AMENDMENT

TO THE

PETTY SESSIONS (IRELAND) BILL.

Note.—*The Page and Line refer to the Bill* (**242.**) *as printed by the Lords.*

In the Preamble Page 1, Line 5, after ("1858") insert ("and "of any Act for the Amendment of them or either of them")

[Bill 273.]

TO THE

PETTY SESSIONS (IRELAND) BILL.

Ordered, by The House of Commons, *to be Printed,*
24 *July* 1863.

[Bill 273.]

Under 1 *oz.*

A

BILL

FOR

Confirming certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to Blackpool, Deal and Walmer, Exmouth, Llandudno, Rhyl, Rosehearty, Ilfracombe, Instow, Bangor, Chatham, Bray, Dartmouth, and Nairn.

WHEREAS a Provisional Order made by the Board of Trade under The General Pier and Harbour Act, 1861, is not of any Validity or Force whatever until the Confirmation thereof by Act of Parliament: Preamble.

And whereas it is expedient that the several Provisional Orders made by the Board of Trade under the said Act and set out in the Schedule hereto should be confirmed by Act of Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. The several Provisional Orders set out in the Schedule hereto shall be and are hereby confirmed, and all the Provisions thereof in Manner and Form as they are set out in the said Schedule shall, from and after the passing of this Act, have full Validity and Force. Confirmation of Orders.

2. This Act may be cited as The Pier and Harbour Orders Confirmation Act, 1863. Short Title.

The SCHEDULE of Provisional Orders.

1. BLACKPOOL.—Construction of a Pier.
2. DEAL AND WALMER.—Amendment of former Order.
3. EXMOUTH.—Construction of a Pier.
4. LLANDUDNO.—Construction of a Pier.
5. RHYL.—Construction of a Pier.
6. ROSEHEARTY.—Improvement of the Harbour.
7. ILFRACOMBE.—Improvement of the Harbour.
8. INSTOW.—Construction of Docks.
9. BANGOR.—Improvement of the Harbour.
10. CHATHAM.—Purchase of a Pier.
11. BRAY.—Construction of a Pier.
12. DARTMOUTH.—Improvement of the Harbour.
13. NAIRN.—Maintenance of the Harbour.

BLACKPOOL.

Provisional Order of the Board of Trade for the Construction, Maintenance, and Regulation of a Pier at Blackpool, in the County of Lancaster.

Preamble. Whereas under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the Blackpool Pier Company, Limited, made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called The Board of Trade, praying their Lordships to grant a Provisional Order containing powers for the construction of a Pier at Blackpool, in the county of Lancaster, for the use and convenience of passengers and promenaders, for the complete execution of the works, and the levying of rates and tolls:

And whereas the estimated expenditure on the proposed works is Fifteen thousand pounds, and no more:

And whereas the promoters published the advertisements, and deposited the documents, which, by the last-mentioned Act, they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier

and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force :—

The undertakers.

1. The Blackpool Pier Company Limited, herein-after called the Company, shall be the undertakers of the works authorized by this Order.

Power to take specified lands by agreement.

2. For the purposes of the works authorized by this Order, the Company may from time to time, by agreement, enter on, take, or use all or any part of the lands shown on the deposited plans as intended to be taken for the purposes of the proposed works.

Lands Clauses Acts incorporated.

3. The Lands Clauses Consolidation Act, 1845, except with respect to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Act Amendment Act, 1860, shall be incorporated with this Order.

Lands for extraordinary purposes.

4. The Company shall not purchase for extraordinary purposes land exceeding in extent in the whole two acres.

Power to make works.

5. Subject to the provisions of this Order, the Company may, on the lands taken by them under this Order or already acquired by them, and on the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of pier.

6. The works authorized by this Order comprise the following :

A pier, on iron piles, commencing at or near Bellevue Square, in front of the town of Blackpool, and carried out seawards a distance of one thousand five hundred and fifty feet, or thereabouts.

Power to take rates according to Schedule to this Order.

7. The Company may demand and receive in respect of the persons, vessels, and things in the schedule hereto described, any sums not exceeding the rates in that schedule specified.

Restriction on use of pier.

8. Nothing in this Order shall entitle vessels or boats to ship or unship at the Pier any sheep, cattle, or merchandise, or any things other than those in the schedule hereto described.

Company may contract with persons for the use of the Pier.

9. The Company may grant to passengers and promenaders or others pass tickets for the use of the Pier, on such terms, and for such a period, not exceeding one year, as may be agreed upon ; but so that no preference be given to any person.

Pass tickets not to be transferable.

Such a pass-ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit pass-ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847, for all the purposes of which Act this Order shall be deemed "the Special Act."

Custom-house officers exempt from rates.

10. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress to, on, along, and from the Pier by land, and with their vessels and otherwise, without payment.

Part V. of 24 & 25 Vict. c. 47. to apply.

11. Part V. of The Harbours and Passing Tolls, &c. Act, 1861, shall apply to the works authorized by this Order.

Short Title.

12. This Order may be cited as The Blackpool Pier Order, 1863.

Board of Trade, Whitehall.
Dated this 31st day of March 1863.

(Signed) T. H. Farrer,
Assistant Secretary.

SCHEDULE to which this Order refers.

I.—Rates on Passengers and Promenaders using the Pier.

	£	s.	d.
For every passenger or other person who shall land on the Pier from, or embark from it on board of, any ship, vessel, packet, or passage-boat, for each and every time, any sum not exceeding	0	0	6
For every person who shall use the Pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time, any sum not exceeding	0	0	2
For every Bath or sedan chair taken on the Pier, for each and every time, any sum not exceeding	0	0	6
For every perambulator, not exceeding	0	0	4
For every master of any vessel, boat, or wherry, being an inhabitant of the town of Blackpool, and using the said Pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding	1	0	0

II.—Rates on Passengers' Luggage.

For every trunk, portmanteau, box, parcel, or other package, within the description of luggage, exceeding 28 lbs. and not exceeding 112 lbs.	0	0	2
And for every 112 lbs. weight, or fractional part thereof, in addition	0	0	3

III.—Rates on Vessels using the Pier.

For every vessel under the burden of 15 tons	per ton	0	0	4
For every vessel of the burden of 15 tons and under 50 tons	„	0	0	6
For every vessel of the burden of 50 tons and under 100 tons	„	0	0	8
For every vessel of the burden of 100 tons and under 150 tons	„	0	0	10
For every vessel of the burden of 150 tons and upwards	„	0	1	0
For every lighter, for each trip		0	0	2

DEAL AND WALMER.

Provisional Order of the Board of Trade for the Amendment of The Deal and Walmer Pier Order, 1862.

Preamble. 25 & 26 Vict. c. 51.

Whereas by The Pier and Harbour Orders Confirmation Act, 1862, The Deal and Walmer Pier Order, 1862, set out in the Schedule thereto, made under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, empowering the Deal and Walmer Pier Company (Limited), herein-after called The Company, to construct, maintain, and regulate a Pier and Harbour at Deal in the county of Kent, was, with an exception, confirmed:

And whereas the Company made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, praying their Lordships to grant a Provisional Order for the amendment of The Deal and Walmer Pier Order, 1862:

And whereas the Company published the advertisements and deposited the documents which, by the thirdly-mentioned Act, they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:—

Repeal of Schedule to former Order.

1. Clause seven of The Deal and Walmer Pier Order, 1862, with the Schedule therein referred to, shall be and the same is hereby repealed.

Power to take rates according to Schedule to this Order.

2. The Company may demand and receive in respect of the persons, vessels, goods, and things in the Schedule hereto described, any sums not exceeding the rates in that Schedule specified.

Power for Company to contract with persons for the use of the pier.

3. The Company may grant to passengers and promenaders or others pass tickets for the use of the Pier, on such terms and for such a period, not exceeding one year, as may be agreed on; but so that no preference be given to any person. Such a pass ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847;

and this Order shall for all purposes be deemed "the Special Act" within the meaning of that Act.

Construction, and Short Title.

4. This Order shall be construed with The Deal and Walmer Pier Order, 1862, as one Order, and may be cited as The Deal and Walmer Pier Amendment Order, 1863.

Board of Trade, Whitehall.
Dated this 31st day of March 1863.

(Signed) T. H. Farrer,
Assistant Secretary.

SCHEDULE to which this Order refers.

I.—Rates on Vessels using the Pier.

		s.	*d.*
For every vessel under the burden of 15 tons	per ton	*0*	*4*
For every vessel of the burden of 15 tons, and under 50 tons	per ton	*0*	*6*
For every vessel of the burden of 50 tons, and under 100 tons	per ton	*0*	*8*
For every vessel of the burden of 100 tons, and under 150 tons	per ton	*0*	*10*
For every vessel of the burden of 150 tons, and upwards	per ton	*1*	*0*
All lighters, for each trip	per ton	*0*	*2*
All boats entirely open, landing or taking on board goods	each	*0*	*6*

II.—Rates on Goods shipped or unshipped at the Pier.

		s.	*d.*
Ale, beer, and porter	per hogshead	*0*	*6*
Ale (bottled)	per barrel	*0*	*4*
"	per dozen bottles	*0*	*1*
Anchors	per cwt.	*0*	*9*
Anchor stock	per foot run	*0*	*2*
Bark	per ton	*2*	*0*
Bedding	per bundle	*0*	*3*
Beef or pork	per cwt.	*0*	*3*
" "	per barrel	*0*	*6*
Biscuit or bread	per cwt.	*0*	*3*
Blubber	per tun of 252 gallons	*3*	*0*
Bones and bone dust	per ton	*1*	*6*
Bottles	per gross	*0*	*9*
Bricks	per 1,000	*1*	*6*
Butter and lard	per barrel	*0*	*6*
" "	per firkin	*0*	*3*
Cables, iron or hempen	per ton	*3*	*0*
Canvas	per bolt	*0*	*1*
Casks:			
(Empty), not being returned packages	per puncheon	*0*	*3*
Other casks in proportion.			
Cattle:			
Bulls, cows, and oxen	each	*3*	*0*
Calves	each	*1*	*0*
Horses	each	*4*	*0*
Pigs	each	*0*	*6*
Sheep	each	*0*	*6*

		s.	*d.*
Chalk	per ton	*1*	*0*
Cheese	per cwt.	*0*	*4*
Chimney pots	each	*0*	*3*
Clay	per ton	*1*	*0*
Cloth, haberdashery, &c., per package, not exceeding one cwt.		*0*	*6*
Carriages:			
Chaises and other four-wheeled carriages	each	*7*	*6*
Gigs, carts, and other two-wheeled carriages	each	*5*	*0*
Hand-carts and perambulators	each	*1*	*0*
Coals	per ton	*1*	*0*
Copper	per ton	*3*	*0*
Cordage	per cwt.	*0*	*3*
Cork	per cwt.	*0*	*6*
Corpses	each	*20*	*0*
Crystal	per box or package	*0*	*6*
Dogs	each	*0*	*6*
Drugs (in casks, hampers, or boxes)	per foot	*0*	*2*
Earthenware (in crates)	per foot	*0*	*1*
Eggs	per box	*0*	*3*
Fish:			
(Dried and salted)	per cwt.	*0*	*3*
Fresh (not enumerated)	per cwt.	*0*	*2*
Flax	per ton	*2*	*0*
Flour and meal	per sack	*0*	*4*
" "	per barrel	*0*	*3*
Fruit	per bushel or sieve	*0*	*4*
Furniture (household)	per 5 cube feet	*0*	*4*
Glass	per large crate	*1*	*6*
"	per small ditto or case	*1*	*0*
"	per box	*0*	*6*
Grains and seeds	per quarter	*0*	*6*
Groceries (not enumerated)	per cwt.	*0*	*6*
Guano	per ton	*1*	*6*
Gunpowder	per barrel or keg	*0*	*6*
Hams, bacon, or tongues	per cwt.	*0*	*4*
Hardware	per ton	*2*	*6*
Hares and rabbits	per dozen	*0*	*4*
Hay	per ton	*1*	*6*
"	per truss	*0*	*2*
Hemp	per ton	*2*	*0*
Herrings (fresh)	per 1,000	*0*	*3*
" (cured)	per barrel	*0*	*3*
Hides:			
Ox cow, or horse (wet or dry)	each	*0*	*2*
Iron:			
Bar, bolt, rod and shots	per ton	*1*	*6*
Pig and old	per ton	*1*	*0*
Manufactured	per ton	*2*	*6*
Pots	each	*0*	*1*
Kelp	per ton	*2*	*0*
Lead	per ton	*2*	*6*
Leather (tanned and dressed)	per cwt.	*0*	*3*
Lime	per 28 bushels	*1*	*4*
Limestone	per ton	*1*	*0*
Machinery	per ton	*2*	*6*
Manure, not enumerated	per ton	*1*	*0*

		s.	d.
Masts and spars, 10 inches in diameter and upwards	each	4	6
Under 10 inches	each	3	0
Meat (fresh)	per cwt.	0	6
Milk	per gallon	0	0½
Musical instruments	per cube foot	0	1
Nets	per 5 cube feet	0	4
Oakum	per cwt.	0	2
Oils	per ton	2	0
Oilcake	per ton	2	0
Oranges and Lemons	per box	0	6
Ores	per ton	1	0
Oysters	per bushel	0	3
Paint	per cwt.	0	4
Pitch and tar	per barrel	0	6
Potatoes	per cwt.	0	2
Poultry and game	per dozen	0	4
Rags and old rope	per ton	2	0
Sails	per cwt.	0	6
Salt	per cwt.	0	1
Sand	per ton	1	0
Shrimp baskets	each	0	2
Skins: Calf, goat, sheep, lamb or dog	per dozen	0	6
Slates	per ton of 24 cubic feet	2	0
Spirits (Foreign and British)	per hogshead	1	0
„ „	per gallon	0	1
Stones	per ton of 16 cubic feet	1	6
Steel	per ton	3	0
Sugar	per cwt.	0	3
Tallow, soap and candles	per cwt.	0	3
Tea	per chest	1	0
Tiles	per 1,000	1	6
Tin and zinc	per ton	3	0
Tobacco	per cwt.	0	6
Turbot	per score	0	3
Turnips	per ton	0	6
Turpentine and varnish	per barrel	0	6
Turtle	each	2	6
Vegetables (not enumerated)	per cwt.	0	4
Vinegar	per hogshead	0	6
Vitriol	per carboy	1	0
Water	per cask	0	3
Wine	per hogshead	1	0
„ bottled	per dozen bottles	0	2
Wood:			
Fir, pine and other descriptions not enumerated	per load of 50 feet	1	6
Oak or wainscot	per load of 50 feet	2	0
Firewood	per 216 cubic feet fathom	1	6
Laths and lathwood	per fathom of 216 cubic feet	2	6
Handspikes	per 120	3	0
Oars	per 120	5	0
Spars, under 22 feet in length, above 2½ and under 4 inches in diameter	per 120	5	0
„ 2½ inches in diameter and under	per 120	4	0
„ 22 feet in length and upwards, and not exceeding 4 inches in diameter	per 120	9	0
„ above 4 and under 6 inches in diameter	per 120	14	0
Spokes of wheels not exceeding 2 feet in length	per 120	2	0
„ exceeding 2 feet in length	per 120	3	0

		s.	d.
Wood—*cont.*			
Treenails	per 1,000	2	6
Wedges	per 1,000	2	6
Pipe staves and others in proportion	per 120	2	6
Lignum vitæ, fustic, logwood, mahogany, and rosewood	per ton	2	0
Wool	per cwt.	0	4
Yarn	per cwt.	0	2

All other Goods not particularly enumerated in the above Table.

Light goods	per cube foot	0	1
Heavy goods	per ton	2	0

In charging the rates on goods, the gross weight or measurement of all goods to be taken, and for any less weights, measures, and quantities than those above specified, a proportion of the respective rates shall be charged.

III.—Rates for use of Cranes, Weighing Machines, and Spars.

1*st. Rates of Craneage.*

All goods or packages not exceeding 1 ton	0	4
Exceeding 1 ton, and not exceeding 2 tons	0	6
Exceeding 2 tons, and not exceeding 3 tons	0	8
Exceeding 3 tons, and not exceeding 4 tons	0	10
Exceeding 4 tons, and not exceeding 5 tons	1	0
Exceeding 5 tons, and not exceeding 6 tons	1	2
Exceeding 6 tons, and not exceeding 7 tons	1	4
Exceeding 7 tons and not exceeding 8 tons	1	6
Exceeding 8 tons, and not exceeding 9 tons	1	10
Exceeding 9 tons, and not exceeding 10 tons	2	4
Exceeding 10 tons	3	6

2*d. Weighing Machines.*

For goods weighed, for each ton or part of a ton	0	2

3*d. Shed Dues.*

For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwt. which shall remain in the sheds or other works of the Pier for a longer time than 48 hours, the sum of *3d.*; and the sum of *1½d.* per ton for each day during which such goods shall remain after the first 48 hours.

For any portmanteau, trunk, parcel, or other article of passengers' luggage, for each day or part of a day, per package	0	2

IV.—Rates for Laying Water Mains on Pier.

Water	per ton	0	6

V.—Rates on Passengers and Promenaders using the Pier.

	£	s.	d.
For every passenger or other person who shall land on the Pier from, or embark from it on board of, any ship, vessel, packet, or passage-boat, for each and every time, any sum not exceeding	0	0	6
For every person who shall use the Pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time, any sum not exceeding	0	0	2

	£	s.	d.
For every Bath or sedan chair taken on the Pier, for each and every time, any sum not exceeding	0	0	6
For every perambulator	0	0	2
For every master of any vessel, boat, or wherry, being an inhabitant of the town of Deal or parish of Walmer, and using the said Pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding	1	0	0

VI.—Rates on Passengers Luggage, landed or shipped.

	s.	d.
For every trunk, portmanteau, box, parcel, or other package, within the description of luggage, not exceeding 28 lbs.	0	2
Over 28 lbs. and not exceeding 84 lbs.	0	4
Over 84 lbs. and not exceeding 112 lbs.	0	5
Over 112 lbs. and not exceeding 140 lbs.	0	6
Over 140 lbs. and not exceeding 196 lbs.	0	7
Over 196 lbs. and not exceeding 2 cwt.	0	8
And for every cwt. beyond	0	4
And for every 20 lbs. weight in addition	0	1

EXMOUTH.

Provisional Order of the Board of Trade for the Construction, Maintenance, and Regulation of a Pier at Exmouth, in the County of Devon.

Preamble. Whereas under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the Exmouth Pier Company (Limited) made application by a Memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, praying their Lordships to grant a Provisional Order, containing powers for the construction of a Pier at Exmouth in the county of Devon, for the complete execution of the works, and for the levying of rates and tolls:

And whereas the estimated expenditure on the proposed works is Twelve thousand pounds, and no more:

And whereas the promoters published the advertisements and deposited the documents which, by the last-mentioned Act, they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That,

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:—

The Undertakers.

1. The Exmouth Pier Company (Limited), herein-after called The Company, shall be the undertakers of the works authorized by this Order.

Power to take specified lands by agreement.

2. For the purposes of the works authorized by this Order, the Company may from time to time, by agreement, enter on, take, or use all or any part of the lands shown on the deposited plans as intended to be taken for the purposes of the proposed works.

Lands Clauses Acts incorporated.

3. The Lands Clauses Consolidation Act, 1845, except with respect to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Act Amendment Act, 1860, shall be incorporated with this Order.

Lands for extraordinary purposes.

4. The Company shall not purchase for extraordinary purposes land exceeding in extent in the whole three acres.

Power to make works.

5. Subject to the provisions of this Order, the Company may, on the lands taken by them under this Order, and in the lines, and according to the levels, and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of pier.

6. The works authorized by this Order comprise the following:

A Pier commencing at or near the western extremity of the present sea wall at its junction with the Ferry Road in the parish of Littleham, and extending four hundred feet or thereabouts in a southerly direction then taking a curve and running six hundred feet or thereabouts in a westerly direction.

Power to take rates according to Schedule to this Order.

7. The Company may demand and receive in respect of the vessels, goods, persons, and things in the Schedule hereto described, any sums not exceeding the rates in that Schedule specified.

Meters and weighers.

8. The Company shall have the appointment of meters and weighers on or in connexion with the Pier.

Steam engines, diving bells, lighters, &c.

9. The Company may provide such steam engines, steam vessels, piling engines, diving bells, ballast lighters, rubbish lighters, and other machinery and vessels as they think necessary for effectuating any of the purposes of this Order and may demand and receive such sums for the use of the same as they think reasonable.

Company may contract with persons for use of the Pier.

10. The Company may grant to passengers and promenaders pass-tickets for the use of the Pier, on such terms and for such a period not exceeding one year as may be agreed on; but so that no preference be given to any person. Such a pass-ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847, for all the purposes of which Act this Order shall be deemed "the Special Act."

Custom-house officers exempt from rates.

11. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress to, on, along, and from the Pier by land and with their vessels, and otherwise, without payment.

Part V. of 24 & 25 Vict. c. 47 to apply.

12. Part V. of The Harbours and Passing Tolls, &c. Act, 1861, shall apply to the works authorized by this Order.

Saving for Corporation of Exeter.

13. Nothing in this Order shall prejudice, diminish, alter, or take away any right, toll, rate, or duty belonging to or vested in the Mayor, Aldermen, nd Burgesses of the city of Exeter within the limits of the port of Exeter.

Short title.

14. This Order may be cited as The Exmouth Pier Order, 1863.

Board of Trade, Whitehall.

Dated this 31st day of March 1863.

(Signed) T. H. Farrer,
Assistant Secretary.

SCHEDULE to which this Order refers.

I.—Rates on Vessels using the Pier.

	s.	*d.*
For every vessel under the burden of 15 tons, per ton	*0*	*4*
For every vessel of the burden of 15 tons, and under 50 tons, per ton	*0*	*6*
For every vessel of the burden of 50 tons, and under 100 tons, per ton	*0*	*8*
For every vessel of the burden of 100 tons, and under 150 tons, per ton	*0*	*10*
For every vessel of the burden of 150 tons and upwards, per ton	*1*	*0*
All lighters, for each trip, per ton	*0*	*2*
All boats entirely open, landing or taking on board goods, each	*0*	*6*

II.—Rates on Goods shipped or unshipped at the Pier.

Ale, beer, and porter, per hogshead	*0*	*6*
Ale (bottled), per barrel	*0*	*4*
„ per dozen bottles	*0*	*1*
Anchors, per cwt.	*0*	*9*
Anchor stock, per foot run	*0*	*2*
Bark, per ton	*2*	*0*
Bedding, per bundle	*0*	*3*
Beef or pork, per cwt.	*0*	*3*
„ „ per barrel	*0*	*6*
Biscuit or bread, per cwt.	*0*	*3*
Blubber, per tun of 252 gallons	*3*	*0*
Bones and bone dust, per ton	*1*	*6*
Bottles, per gross	*0*	*9*
Bricks, per 1,000	*1*	*6*
Butter and lard, per barrel	*0*	*6*
„ „ per firkin	*0*	*3*
Cables, iron or hempen, per ton	*3*	*0*
Canvas, per bolt	*0*	*1*
Casks (empty), not being returned packages, per puncheon	*0*	*3*
Other casks in proportion.		
Cattle:		
Bulls, cows, and oxen, each	*3*	*0*
Calves, each	*1*	*0*
Horses, each	*4*	*0*
Pigs, each	*0*	*6*
Sheep, each	*1*	*0*
Chalk, per ton	*1*	*0*
Cheese, per cwt.	*0*	*4*

	s.	*d.*
Chimney pots, each	*0*	*3*
Clay, per ton	*1*	*0*
Cloth, haberdashery, &c., per package, not exceeding one cwt.	*0*	*6*
Carriages:		
Chaises and other four-wheeled carriages, each	*7*	*6*
Gigs, carts, and other two-wheeled carriages, each	*5*	*0*
Hand-carts and perambulators, each	*1*	*0*
Coals, per ton	*1*	*0*
Copper, per ton	*3*	*0*
Cordage, per cwt.	*0*	*3*
Cork, per cwt.	*0*	*6*
Corpses, each	*20*	*0*
Crystal, per box or package	*0*	*6*
Dogs, each	*0*	*6*
Drugs (in casks, hampers, or boxes), per foot	*0*	*2*
Earthenware (in casks, hampers, or boxes), per foot	*0*	*2*
Earthenware (in crates), per foot	*0*	*1*
Eggs, per box	*0*	*3*
Fish (dried and salted), per cwt.	*0*	*3*
„ fresh (not enumerated), per cwt.	*0*	*2*
Flax, per ton	*2*	*0*
Flour and meal, per sack	*0*	*4*
„ per barrel	*0*	*3*
Fruit, per bushel or sieve	*0*	*4*
Furniture (household), per 5 cubic feet	*0*	*4*
Glass, per large crate	*1*	*6*
„ per small ditto or case	*1*	*0*
„ per box	*0*	*6*
Grains and seeds, per quarter	*0*	*6*
Groceries (not enumerated)	*0*	*6*
Guano, per ton	*1*	*6*
Gunpowder, per barrel or keg	*0*	*6*
Hams, bacon, or tongues, per cwt.	*0*	*4*
Hardware, per ton	*2*	*6*
Hares and rabbits, per dozen	*0*	*4*
Hay, per ton	*1*	*6*
„ per truss	*0*	*2*
Hemp, per ton	*2*	*0*
Herrings (fresh) per 1,000	*0*	*3*
„ (cured) per barrel	*0*	*3*
Hides:		
Ox, cow, or horse (wet or dry) each	*0*	*2*
Iron:		
Bar, bolt, rod, and shots, per ton	*1*	*6*
Pig and old, per ton	*1*	*0*
Manufactured, per ton	*2*	*6*
Pots, each	*0*	*1*
Kelp, per ton	*2*	*0*
Lead, per ton	*2*	*6*
Leather (tanned and dressed), per cwt.	*0*	*3*
Lime, per 28 bushels	*1*	*4*
Limestone, per ton	*1*	*0*
Machinery, per ton	*2*	*6*
Manure, not enumerated, per ton	*1*	*0*
Masts and spars, 10 inches in diameter and upwards, each	*4*	*6*
Under 10 inches each	*3*	*0*
Meat (fresh) per cwt.	*0*	*6*
Milk, per gallon	*0*	*0*½

	s.	d.
Musical instruments, per cube foot	0	1
Nets, per 5 cube feet	0	4
Oakum, per cwt.	0	2
Oils, per tun	2	0
Oilcake, per ton	2	0
Oranges and lemons, per box	0	6
Ores, per ton	1	0
Oysters, per bushel	0	3
Paint, per cwt.	0	4
Pitch and tar, per barrel	0	6
Potatoes, per cwt.	0	2
Poultry and game, per dozen	0	4
Rags and old rope, per ton	2	0
Sails, per cwt.	0	6
Salt, per cwt.	0	1
Sand, per ton	1	0
Shrimp baskets, each	0	2
Skins: Calf, goat, sheep, lamb, or dog, per dozen	0	6
Slates, per ton of 24 cubic feet	2	0
Spirits (Foreign and British) per hogshead	1	0
Ditto ditto per gallon	0	1
Stones, per ton of 16 cubic feet	1	6
Steel, per ton	3	0
Sugar, per cwt.	0	3
Tallow, soap, and candles, per cwt.	0	3
Tea, per chest	1	0
Tiles, per 1,000	1	6
Tin and zinc, per ton	3	0
Tobacco, per cwt.	0	6
Turbot, per score	0	3
Turnips, per ton	0	6
Turpentine and varnish, per barrel	0	6
Turtle, each	2	6
Vegetables (not enumerated) per cwt.	0	4
Vinegar, per hogshead	0	6
Vitriol, per carboy	1	0
Water, per cask	0	3
Wine, per hogshead	1	0
„ bottled, per dozen bottles	0	2
Wood:		
Fir, pine, and other descriptions not enumerated, per load of 50 feet	1	6
Oak or wainscot, per load of 50 feet	2	0
Firewood, per 216 cubic feet fathom	1	6
Laths and lathwood, per fathom of 216 cubic feet	2	6
Handspikes, per 120	3	0
Oars, per 120	5	0
Spars, under 22 feet in length, above $2\frac{1}{2}$, and under 4 inches in diameter, per 120	5	0
„ $2\frac{1}{2}$ inches in diameter and under, per 120	4	0
„ 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120	9	0
„ above 4 and under 6 inches in diameter, per 120	14	0
Spokes of wheels not exceeding 2 feet in length, per 120	2	0
„ exceeding 2 feet in length, per 120	3	0
Trenails, per 1,000	2	6
Wedges, per 1,000	2	6
Pipe staves and others in proportion, per 120	2	6
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	2	0

	s.	d.
Wool, per cwt.	0	4
Yarn, per cwt.	0	2

All other Goods not particularly enumerated in the above Table.

Light goods, per cube foot	0	1
Heavy goods, per ton	2	0

In charging the rates on goods, the gross weight or measurement of all goods to be taken, and for any less weights, measures, and quantities than those above specified, a proportion of the respective rates shall be charged.

III.—Rates for Use of Cranes, Weighing Machines, and Sheds.

1*st. Rates of Craneage.*

All goods or packages not exceeding 1 ton	0	4
Exceeding 1 ton, and not exceeding 2 tons	0	6
Exceeding 2 tons, and not exceeding 3 tons	0	8
Exceeding 3 tons, and not exceeding 4 tons	0	10
Exceeding 4 tons, and not exceeding 5 tons	1	0
Exceeding 5 tons, and not exceeding 6 tons	1	2
Exceeding 6 tons, and not exceeding 7 tons	1	4
Exceeding 7 tons, and not exceeding 8 tons	1	6
Exceeding 8 tons, and not exceeding 9 tons	1	10
Exceeding 9 tons, and not exceeding 10 tons	2	4
Exceeding 10 tons	3	6

2*d. Weighing Machines.*

For goods weighed, for each ton or part of a ton	0	2

3*d. Shed Dues.*

For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwt. which shall remain in the sheds or other works of the Pier for a longer time than 48 hours, the sum of *3d.*; and the sum of *1½d.* per ton for each day during which such goods shall remain after first 48 hours.

For any portmanteau, trunk, parcel, or other articles of passengers luggage, for each day or part of a day, per package	0	2

IV.—Rates for laying Water Mains on Pier.

Water, per ton	0	6

V.—Rates on Passengers and Promenaders using the Pier.

	£	s.	d.
For every passenger or other person who shall land on the Pier from, or embark from it on board of, any ship, vessel, packet, or passage boat, for each and every time, any sum not exceeding	0	0	6
For every person who shall use the Pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time, any sum not exceeding	0	0	2
For every Bath, or sedan chair taken on the Pier, for each and every time any sum not exceeding	0	0	6
For every perambulator	0	0	2
For every master of any vessel, boat, or wherry, being an inhabitant of the town of Exmouth, and using the said Pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding	1	0	0

VI.—Rates on Passengers Luggage.

	£	s.	d.
For every trunk, portmanteau, box, parcel, or other package within the description of luggage, not exceeding 28 lbs.	0	0	2
Over 28 lbs. and not exceeding 84 lbs.	0	0	4
Over 84 lbs. and not exceeding 112 lbs.	0	0	5
Over 112 lbs. and not exceeding 140 lbs.	0	0	6
Over 140 lbs. and not exceeding 196 lbs.	0	0	7
Over 196 lbs. and not exceeding 2 cwt.	0	0	8
And for every cwt. beyond	0	0	4
And for every 20 lbs. weight in addition	0	0	1

LLANDUDNO.

Provisional Order of the Board of Trade for the Construction, Maintenance, and Regulation of a Pier at Llandudno in the County of Carnarvon.

Preamble. Whereas under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the promoters of the Llandudno Pier made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council, appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, setting forth the necessity of a pier at Llandudno in the County of Carnarvon, and praying their Lordships to approve of the project thus submitted, and to grant a Provisional Order for its execution, containing powers and privileges for the complete execution of the works, and for the levying of rates and tolls not exceeding those herein-after specified:

And whereas the estimated expenditure on the proposed works is Fourteen thousand pounds and no more:

And whereas the promoters published the advertisements and deposited the documents which by the last-mentioned Act they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:—

1. The

Undertakers.

1. The Llandudno Pier Company (Limited), herein-after called the Company, shall be the undertakers of the works authorized by this Order.

Power to take specified lands by agreement.

2. For the purposes of the works authorized by this Order, the Company may, from time to time, by agreement, enter on, take, or use all or any part of the lands shown on the deposited plans, as intended to be taken for the purposes of the proposed works.

Lands Clauses Acts incorporated.

3. The Lands Clauses Consolidation Act, 1845, except with respect to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order.

Power to make works.

4. Subject to the provisions of this Order, the Company may, on the lands taken by them under this Order, and in the lines, and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of pier.

5. The works authorized by this Order comprise the following: —

A Pier commencing at a point on the Esplanade between the North and South Parade, opposite Gloddaeth Street, in the town of Llandudno, in the parish of Llandudno, in the county of Carnarvon, and extending seaward in an easterly direction one thousand three hundred and fifty feet or thereabouts.

Power to take rates according to Schedule to this Order.

6. The Company may demand and receive in respect of the vessels, goods, persons, and things, in the Schedule hereto described, any sums not exceeding the rates in that Schedule specified.

Company may contract with persons for the use of the Pier.

Pass tickets not to be transferable.

7. The Company may grant to passengers and promenaders or others pass tickets for the use of the Pier, on such terms, and for such a period, not exceeding one year, as may be agreed upon; but so that no preference be given to any person. Such a pass-ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit pass-ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered as penalties are recoverable under The Harbours, Docks, and Piers Clauses Act, 1847, for all the purposes of which Act this Order shall be deemed "the Special Act."

Custom House Officers exempt from rates.

8. Officers of Customs being in the execution of their duty shall at all times have free ingress, passage, and egress to, on, along, and from the Pier by land and with their vessels, and otherwise, without payment.

Lands for extraordinary purposes.

9. The Company shall not purchase for extraordinary purposes lands exceeding in the whole two acres.

Meters and weighers.

10. The Company shall have the appointment of meters and weighers on the Pier.

Steam engines, diving bells, lighters, &c.

11. The Company may provide such steam engines, steam vessels, piling engines, diving bells, ballast lighters, and other machinery and vessels as they think necessary for effectuating any of the purposes of this Order, and may demand and receive such sums for the use of the same as they think reasonable.

Part V. of 24 & 25 Vict. c. 47. to apply.

12. Part V. of The Harbours and Passing Tolls, &c., Act, 1861, shall apply to the Pier authorized by this Order.

13. This Order may be cited as The Llandudno Pier Order, 1863.

Short Title.

Board of Trade, Whitehall.
Dated this 31st day of March 1863.

(Signed) T. H. Farrer,
Assistant Secretary.

The SCHEDULE referred to.

I. Rates on Vessels using the Pier.

		s.	d.
For every vessel under the burden of 15 tons	per ton	0	4
For every vessel of the burden of 15 tons, and under 50 tons	per ton	0	6
For every vessel of the burden of 50 tons, and under 100 tons	per ton	0	8
For every vessel of the burden of 100 tons, and under 150 tons	per ton	0	10
For every vessel of the burden of 150 tons, and upwards	per ton	1	0
All lighters for each trip	per ton	0	2
All boats entirely open, landing or taking on board goods	each	0	6

II.—Rates on Goods shipped or unshipped at the Pier.

Ale, beer and porter	per hogshead	0	6
Ale (bottled)	per barrel	0	4
,,	per dozen bottles	0	1
Anchors	per cwt.	0	9
Anchor stock	per foot run	0	2
Bark	per ton	2	0
Bedding	per bundle	0	3
Beef or pork	per cwt.	0	3
,,	per barrel	0	6
Biscuit or bread	per cwt.	0	3
Blubber	per ton of 252 gallons	3	0
Bones and bone-dust	per ton	1	6
Bottles	per gross	0	9
Bricks	per 1,000	1	6
Butter and lard	per barrel	0	6
,,	per firkin	0	3
Cables, iron or hempen	per ton	3	0
Canvass	per bolt	0	1
Casks (empty), not being returned packages	per puncheon	0	3
Other casks in proportion.			
Cattle:			
Bulls, cows, and oxen	each	3	0
Calves	each	1	0
Horses	each	4	0
Pigs	each	0	6
Sheep	each	0	6
Chalk	per ton	1	0
Cheese	per cwt.	0	4
Chimney-pots	each	0	3
Clay	per ton	1	0
Cloth, haberdashery, &c.	per package, not exceeding 1 cwt.	0	6

		s.	d.
Carriages:			
Chaises and other four-wheeled carriages	each	7	6
Gigs, carts, and other two-wheeled carriages	each	5	0
Hand-carts, and perambulators	each	1	0
Coals	per ton	1	0
Copper	per ton	3	0
Cordage	per cwt.	0	3
Corks	per cwt.	0	6
Corpses	each	20	0
Crystal	per box or package	0	6
Dogs	each	0	6
Drugs (in casks, hampers, or boxes)	per foot	0	2
Earthenware (in crates)	per foot	0	1
Eggs	per box	0	3
Fish (dried and salted)	per cwt.	0	3
„ (fresh not enumerated)	per cwt.	0	2
Flax	per ton	2	0
Flour and meal	per sack	0	4
„ „	per barrel	0	3
Furniture (household)	per 5 cubic feet	0	4
Fruit	per bushel or sieve	0	4
Glass	per large crate	1	6
„	per small crate or case	1	0
„	per box	0	6
Grains and seeds	per quarter	0	6
Groceries, not enumerated	per cwt.	0	6
Guano	per ton	1	6
Gunpowder	per barrel or keg	0	6
Hams, bacon, or tongues	per cwt.	0	4
Hardware	per ton	2	6
Hares and rabbits	per dozen	0	4
Hay	per ton	1	6
„	per truss	0	2
Hemp	per ton	2	0
Herrings (fresh)	per 1,000	0	3
„ (cured)	per barrel	0	3
Hides:			
Ox, cow, or horse (wet or dry)	each	0	2
Iron:			
Bar, bolt, rod, and shots	per ton	1	6
Pig and old	per ton	1	0
Manufactured	per ton	2	6
Pots	each	0	1
Kelp	per ton	2	0
Lead	per ton	2	6
Leather (tanned and dressed)	per cwt.	0	3
Lime	per 28 bushels	1	4
Limestone	per ton	1	0
Machinery	per ton	2	6
Manure (not enumerated)	per ton	1	0
Masts and spars, 10 inches in diameter and upwards	each	4	6
„ „ under 10 inches	each	3	0
Meat (fresh)	per cwt.	0	6
Milk	per gallon	0	0½
Musical instruments	per cube foot	0	1
Nets	per 5 cube feet	0	4
Oakum	per cwt.	0	2
Oils	per ton	2	0

		s.	d.
Oilcake	per ton	2	0
Oranges and lemons	per box	0	6
Ores	per ton	1	0
Oysters	per bushel	0	3
Paint	per cwt.	0	4
Pitch and tar	per barrel	0	6
Potatoes	per cwt.	0	2
Poultry and game	per dozen	0	4
Rags and old rope	per ton	2	0
Sails	per cwt.	0	6
Salt	per cwt.	0	1
Sand	per ton	1	0
Shrimp baskets	each	0	2
Skins (calf, goat, sheep, lamb, or dog)	per dozen	0	6
Slates	per ton of 24 cubic feet	2	0
Spirits (Foreign and British)	per hogshead	1	0
„ „ „	per gallon	0	1
Stones	per ton of 16 cubic feet	1	6
Steel	per ton	3	0
Sugar	per cwt.	0	3
Tallow, soap, and candles	per cwt.	0	3
Tea	per chest	1	0
Tiles	per 1,000	1	6
Tin and zinc	per ton	3	0
Tobacco	per cwt.	0	6
Turbot	per score	0	3
Turnips	per ton	0	6
Turpentine and varnish	per barrel	0	6
Turtle	each	2	6
Vegetables (not enumerated)	per cwt.	0	4
Vinegar	per hogshead	0	6
Vitriol	per carboy	1	0
Water	per cask	0	3
Wine	per hogshead	1	0
„ (bottled)	per dozen bottles	0	2
Wood :			
Fir, pine, and other descriptions not enumerated	per load of 50 ft.	1	6
Oak or wainscot	per load of 50 ft.	2	0
Firewood	per 216 cubic feet fathom	1	6
Laths and lathwood	per fathom of 216 cubic feet	2	6
Handspikes	per 120	3	0
Oars	per 120	5	0
Spars, under 22 feet in length, above 2½ and under 4 inches in diameter	per 120	5	0
„ 2½ inches in diameter and under	per 120	4	0
„ 22 feet in length and upwards, and not exceeding 4 inches in diameter	per 120	9	0
„ above 4 and under 6 inches in diameter	per 120	14	0
Spokes of wheels not exceeding 2 feet in length	per 120	2	0
„ exceeding 2 feet in length	per 120	3	0
„ Treenails	per 1,000	2	6
„ Wedges	per 1,000	2	6
Pipe staves, and others in proportion	per 120	2	6
Lignum vitæ, fustic, logwood, mahogany, and rosewood	per ton	2	0
Wool	per cwt.	0	4
Yarn	per cwt.	0	2

All other Goods not particularly enumerated above.		*s.*	*d.*
Light goods	per cubic foot	*0*	*1*
Heavy goods	per ton	*2*	*0*

In charging the rates on goods, the gross weight or measurement of all goods to be taken; and for any less weights, measures, and quantities than those above specified, a proportion of the respective rates shall be charged.

III.—Rates for Use of Cranes, Weighing Machines, and Sheds.

1st. Rates of Craneage.

	s.	*d.*
All goods or packages not exceeding 1 ton	*0*	*4*
Exceeding 1 ton, and not exceeding 2 tons	*0*	*6*
Exceeding 2 tons, and not exceeding 3 tons	*0*	*8*
Exceeding 3 tons, and not exceeding 4 tons	*0*	*10*
Exceeding 4 tons, and not exceeding 5 tons	*1*	*0*
Exceeding 5 tons, and not exceeding 6 tons	*1*	*2*
Exceeding 6 tons, and not exceeding 7 tons	*1*	*4*
Exceeding 7 tons, and not exceeding 8 tons	*1*	*6*
Exceeding 8 tons, and not exceeding 9 tons	*1*	*10*
Exceeding 9 tons, and not exceeding 10 tons	*2*	*4*
Exceeding 10 tons	*3*	*6*

2nd. Weighing Machines.

	s.	*d.*
For goods weighed, for each ton or part of a ton	*0*	*2*

3rd. Shed Dues.

For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwt., which shall remain in the sheds or other works of the Pier for a longer time than 48 hours, the sum of *3d.*; and the sum of *1½d.* per ton for each day during which such goods shall remain after the first 48 hours.

		s.	*d.*
For any portmanteau, trunk, parcel, or other article of passengers' luggage, for each day or part of a day	per package	*0*	*2*

IV.—Rates for laying Water-Mains on Pier.

		s.	*d.*
Water	per ton	*0*	*6*

V.—Rates on Passengers landing on or embarking from the Pier.

	£	*s.*	*d.*
For every passenger or other person who shall land on the pier from, or embark from it on board of, any ship, vessel, packet, or passage boat, for each and every time, any sum not exceeding	*0*	*0*	*6*
For every person who shall use the said Pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time, any sum not exceeding	*0*	*0*	*2*
For every bath or sedan-chair taken on the Pier, for each and every time, any sum not exceeding	*0*	*0*	*6*
For every perambulator	*0*	*0*	*2*
For every master of any vessel, boat, or wherry, being an inhabitant of the town of Llandudno, and using the said Pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding	*1*	*0*	*0*

VI.—Rates on Passengers' Luggage Landed or Shipped.

	s.	d.
For every trunk, portmanteau, box, parcel, or other package, within the description of luggage, and not borne by the passenger, not exceeding 28 lbs.	0	2
Over 28 lbs. and not exceeding 84 lbs.	0	4
Over 84 lbs. and not exceeding 112 lbs.	0	5
Over 112 lbs. and not exceeding 140 lbs.	0	6
Over 140 lbs. and not exceeding 196 lbs.	0	7
Over 196 lbs. and not exceeding 2 cwt.	0	8
And for every cwt. beyond	0	4
And for every 20 lbs. weight in addition	0	1

RHYL.

Provisional Order of the Board of Trade for the Construction, Maintenance, and Regulation of a Pier at Rhyl in the county of Flint.

Preamble. Whereas under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the promoters of the Rhyl Pier made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to trade and foreign plantations, herein-after called the Board of Trade, setting forth the necessity of a Pier at Rhyl in the county of Flint, and praying their Lordships to approve of the project thus submitted, and to grant a Provisional Order for its execution, containing powers and privileges for the complete execution of the works and for the levying of rates and tolls not exceeding those herein-after specified:

And whereas the estimated expenditure on the proposed works is Fifteen thousand pounds and no more:

And whereas the promoters published the advertisements and deposited the documents which, by the last-mentioned Act, they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:—

Undertakers. 1. The Rhyl Pier Company (Limited), herein-after called the Company, shall be the undertakers of the works authorized by this order.

2. For

2. For the purposes of the works authorized by this Order, the Company may from time to time, by agreement, enter on, take, or use all or any part of the lands shown on the deposited plans, as intended to be taken for the purposes of the proposed works. Power to take specified Lands by Agreement.

3. The Lands Clauses Consolidation Act, 1845, except with respect to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Act Amendment Act, 1860, shall be incorporated with this Order. Incorporation of Lands Clauses Acts.

4. Subject to the provisions of this Order, and subject also to such alterations, if any, in the deposited plans as the Board of Trade may require in order to prevent injury to navigation, the Company may, on the lands taken by them under this Order, and in the lines, and according to the levels, and within the limits of deviation, shown on the deposited plans and sections, make and maintain the works shown on the deposited plans. Power to make Works.

5. The works by this Order authorized comprise the following :— Description of Pier.

A Pier commencing at the south-western extremity of the Esplanade in the township of Rhyl, in the parish of Rhuddlan, in the county of Flint, and extending seaward one thousand three hundred feet or thereabouts, in a north-westerly direction, and thence extending two hundred and seventy feet or thereabouts, in a northerly direction.

6. The Company may demand and receive in respect of the vessels, goods, persons, and things, in the Schedule hereto described, any sums not exceeding the rates in that Schedule specified. Power to take Rates according to Schedule.

7. The Company may grant to passengers and promenaders or others pass tickets for the use of the Pier, on such terms, and for such a period, not exceeding one year, as may be agreed upon; but so that no preference be given to any person. Such a pass-ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit pass-ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered as penalties are recoverable under The Harbours, Docks, and Piers Clauses Act, 1847, for all the purposes of which Act this Order shall be deemed "the Special Act." Company may contract with persons for the use of the Pier. Pass tickets not to be transferable.

8. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress, to, on, along, and from the Pier by land and with their vessels and otherwise, without payment. Exemption of Custom House Officers from Rates.

9. The Company shall not purchase for extraordinary purposes lands exceeding in the whole two acres. Lands for extraordinary Purposes.

10. The Company shall have the appointment of meters and weighers on the Pier. Meters and Weighers.

11. The Company may provide such steam-engines, steam-vessels, piling-engines, diving-bells, ballast lighters, and other machinery and vessels as they think necessary for effectuating any of the purposes of this Order, and may demand and receive such sums for the use of the same as they think reasonable. Steam Engines, Diving Bells, Lighters, &c.

12. Part V. of The Harbours and Passing Tolls, &c., Act, 1861, shall apply to the pier by this order authorized. Part V. of 24 & 25 Vict. c. 47. to apply.

Short Title. 13. This Order may be cited as The Rhyl Pier Order, 1863.

Board of Trade, Whitehall.
Dated this 31st day of March 1863.

(Signed) T. H. Farrer,
Assistant Secretary.

The SCHEDULE referred to.

I.—Rates on Vessels using the Pier.

		s.	d.
For every vessel under the burden of 15 tons	per ton	0	4
For every vessel of the burden of 15 tons, and under 50 tons	per ton	0	6
For every vessel of the burden of 50 tons, and under 100 tons	per ton	0	8
For every vessel of the burden of 100 tons, and under 150 tons	per ton	0	10
For every vessel of the burden of 150 tons, and upwards	per ton	1	0
All lighters for each trip	per ton	0	2
All boats entirely open, landing or taking on board goods	each	0	6

II.—Rates on Goods shipped or unshipped at the Pier.

Ale, beer, and porter	per hogshead	0	6
Ale (bottled)	per barrel	0	4
"	per dozen bottles	0	1
Anchors	per cwt.	0	9
Anchor stock	per foot run	0	2
Bark	per ton	2	0
Bedding	per bundle	0	3
Beef or pork	per cwt.	0	3
"	per barrel	0	6
Biscuit or bread	per cwt.	0	3
Blubber	per tun of 252 gallons	3	0
Bones and bone dust	per ton	1	6
Bottles	per gross	0	9
Bricks	per 1,000	1	6
Butter and lard	per barrel	0	6
"	per firkin	0	3
Cables, iron or hempen	per ton	3	0
Canvas	per bolt	0	1
Carriages:			
Chaises and other four-wheeled carriages	each	7	6
Gigs, carts, and other two-wheeled carriages	each	5	0
Hand carts and perambulators	each	1	0
Casks (empty), not being returned packages	per puncheon	0	3
Other casks in proportion.			
Cattle:			
Bulls, cows, and oxen	each	3	0
Calves	each	1	0
Horses	each	4	0
Pigs	each	0	6
Sheep	each	0	6
Chalk	per ton	1	0
Cheese	per cwt.	0	4
Chimney pots	each	0	3
Clay	per ton	1	0
Cloth, haberdashery, &c.	per package, not exceeding one cwt.	0	6

		s.	d.
Coals	per ton	1	0
Copper	per ton	3	0
Cordage	per cwt.	0	3
Corks	per cwt.	0	6
Corpses	each	20	0
Crystal	per box or package	0	6
Dogs	each	0	6
Drugs (in casks, hampers, or boxes)	per foot	0	2
Earthenware (in crates)	per foot	0	1
Eggs	per box	0	3
Fish (dried and salted)	per cwt.	0	3
„ fresh, not enumerated	per cwt.	0	2
Flax	per ton	2	0
Flour and meal	per sack	0	4
„	per barrel	0	3
Furniture (household)	per 5 cubic feet	0	4
Fruit	per bushel or sieve	0	4
Glass	per large crate	1	6
„	per small crate or case	1	0
„	per box	0	6
Grains and seeds	per quarter	0	6
Groceries, not enumerated	per cwt.	0	6
Guano	per ton	1	6
Gunpowder	per barrel or keg	0	6
Hams, bacon, or tongues	per cwt.	0	4
Hardware	per ton	2	6
Hares and rabbits	per dozen	0	4
Hay	per ton	1	6
„	per truss	0	2
Hemp	per ton	2	0
Herrings (fresh)	per 1,000	0	3
„ (cured)	per barrel	0	3
Hides:			
Ox, cow, or horse (wet or dry)	each	0	2
Iron:			
Bar, bolt, rod, and shots	per ton	1	6
Pig and old	per ton	1	0
Manufactured	per ton	2	6
Pots	each	0	1
Kelp	per ton	2	0
Lead	per ton	2	6
Leather (tanned and dressed)	per cwt.	0	3
Lime	per 28 bushels	1	4
Limestone	per ton	1	0
Machinery	per ton	2	6
Manure (not enumerated)	per ton	1	0
Masts and spars, 10 inches in diameter and upwards	each	4	6
Under 10 inches	each	3	0
Meat (fresh)	per cwt.	0	6
Milk	per gallon	0	0½
Musical instruments	per cubic foot	0	1
Nets	per 5 cube feet	0	4
Oakum	per cwt.	0	2
Oils	per ton	2	0
Oilcake	per ton	2	0
Oranges and lemons	per box	0	6
Ores	per ton	1	0
Oysters	per bushel	0	3
Paint	per cwt.	0	4

		s.	d.
Pitch and tar	per barrel	0	6
Potatoes	per cwt.	0	2
Poultry and game	per dozen	0	4
Rags and old rope	per ton	2	0
Sails	per cwt.	0	6
Salt	per cwt.	0	1
Sand	per ton	1	0
Shrimp baskets	each	0	2
Skins—calf, goat, sheep, lamb, or dog	per dozen	0	6
Slates	per ton of 24 cubic feet	2	0
Spirits (Foreign and British)	per hogshead	1	0
„ „ „	per gallon	0	1
Stones	per ton of 16 cubic feet	1	6
Steel	per ton	3	0
Sugar	per cwt.	0	3
Tallow, soap, and candles	per cwt.	0	3
Tea	per chest	1	0
Tiles	per 1,000	1	6
Tin and zinc	per ton	3	0
Tobacco	per cwt.	0	6
Turbot	per score	0	3
Turnips	per ton	0	6
Turpentine and varnish	per barrel	0	6
Turtle	each	2	6
Vegetables (not enumerated)	per cwt.	0	4
Vinegar	per hogshead	0	6
Vitriol	per carboy	1	0
Water	per cask	3	0
Wine	per hogshead	1	0
„ (bottled)	per dozen bottles	0	2
Wood:			
Fir, pine, and other descriptions not enumerated	per load of 50 feet	1	6
Oak or wainscot	per load of 50 feet	2	0
Firewood	per 216 cubic feet fathom	1	6
Laths and lathwood	per fathom of 216 cubic feet	2	6
Handspikes	per 120	3	0
Oars	per 120	5	0
Spars, under 22 feet in length, above 2½ and under 4 inches in diameter	per 120	5	0
„ 2½ inches in diameter and under	per 120	4	0
„ 22 feet in length and upwards, and not exceeding 4 inches in diameter	per 120	9	0
„ above 4 and under 6 inches in diameter	per 120	14	0
Spokes of wheels not exceeding 2 feet in length	per 120	2	0
„ exceeding 2 feet in length	per 120	3	0
„ treenails	per 1,000	2	6
„ wedges	per 1,000	2	6
Pipe staves, and others in proportion	per 120	2	6
Lignum vitæ, fustic, logwood, mahogany and rosewood	per ton	2	0
Wool	per cwt.	0	4
Yarn	per cwt.	0	2
All other Goods not particularly enumerated in the above Table.			
Light goods	per cubic foot	0	1
Heavy goods	per ton	2	0

In charging the rates on goods, the gross weight or measurement on all goods to be taken; and for any less weights, measures, and quantities than those above specified, a proportion of the respective rates shall be charged.

III.—Rates for Use of Cranes, Weighing Machines, and Sheds.

1st. Rates of Craneage.

	s.	*d.*
All goods or packages not exceeding 1 ton	*0*	*4*
Exceeding 1 ton, and not exceeding 2 tons	*0*	*6*
Exceeding 2 tons, and not exceeding 3 tons	*0*	*8*
Exceeding 3 tons, and not exceeding 4 tons	*0*	*10*
Exceeding 4 tons, and not exceeding 5 tons	*1*	*0*
Exceeding 5 tons, and not exceeding 6 tons	*1*	*2*
Exceeding 6 tons, and not exceeding 7 tons	*1*	*4*
Exceeding 7 tons, and not exceeding 8 tons	*1*	*6*
Exceeding 8 tons, and not exceeding 9 tons	*1*	*10*
Exceeding 9 tons, and not exceeding 10 tons	*2*	*4*
Exceeding 10 tons	*3*	*6*

2nd. Weighing Machines.

For goods weighed, for each ton or part of a ton	*0*	*2*

3rd. Shed Dues.

For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwt., which shall remain in the sheds or other works of the pier for a longer time than 48 hours, the sum of *3d.*; and the sum of *1½d.* per ton for each day during which such goods shall remain after the first 48 hours.

For any portmanteau, trunk, parcel, or other article of passengers' luggage, for each day or part of a day	per package	*0*	*2*

IV.—Rates for Laying Water Mains on Pier.

Water, per ton	*0*	*6*

V.—Rates on Passengers landing on or embarking from the Pier.

	£	*s.*	*d.*
For every passenger or other person who shall land on the pier from, or embark from it on board of, any ship, vessel, packet, or passage boat, for each and every time, any sum not exceeding	*0*	*0*	*6*
For every person who shall use the said pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time, any sum not exceeding	*0*	*0*	*2*
For every bath or sedan chair taken on the pier, for each and every time, any sum not exceeding	*0*	*0*	*6*
For every perambulator	*0*	*0*	
For every master of any vessel, boat, or wherry, being an inhabitant of the town of Rhyl, and using the said pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding	*1*	*0*	*0*

VI.—Rates on Passengers' Luggage landed or shipped.

	s.	*d.*
For every trunk, portmanteau, box, parcel, or other package within the desciption of luggage, and not borne by the passenger, not exceeding 28 lbs	*0*	*2*
Over 28 lbs., and not exceeding 84 lbs.	*0*	*4*
Over 84 lbs., and not exceeding 112 lbs.	*0*	*5*
Over 112 lbs., and not exceeding 140 lbs.	*0*	*6*

	s.	d.
Over 140 lbs., and not exceeding 196 lbs.	0	7
Over 196 lbs., and not exceeding 2 cwt.	0	8
And for every cwt. beyond	0	4
And for every 20 lbs. weight in addition	0	1

ROSEHEARTY.

Provisional Order of the Board of Trade for the Improvement, Maintenance, and Regulation of the Harbour of Rosehearty, in the County of Aberdeen.

Preamble.

Whereas, under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, Alexander Dingwall Fordyce of Culsh and Brucklay, residing at Brucklay Castle, in the County of Aberdeen, heir-of-entail and in possession of the lands and barony of Pitsligo, comprehending therein the burgh of barony of Rosehearty, with the seaport and harbour of the same, and the feuars, freemen, and burgesses of the said burgh, by the town council of the burgh, as owners of the port and harbour of Rosehearty, made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, praying their Lordships to grant a Provisional Order under the said Acts for executing the works herein-after mentioned, with power to levy and recover rates according to the Schedule in the memorial referred to:

And whereas the estimated expenditure on the proposed works is Three thousand pounds and no more:

And whereas the promoters published the advertisements and deposited the documents which by the last-mentioned Act they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do, by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:—

Rosehearty Harbour Commissioners.

Incorporation of Commissioners.

1. The town council of the burgh of barony of Rosehearty, and their successors in office, shall be and are hereby for the purposes of this Order incorporated by

by the name of The Rosehearty Harbour Commissioners, and by that name shall be one body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of, lands and other property, for the purposes, but subject to the restrictions, of this Order.

The Undertakers.

2. The Rosehearty Harbour Commissioners, herein-after called the Commissioners, shall be the undertakers of the works authorized by this Order.

Incorporation of parts of Commissioners Clauses Act.

3. The Commissioners Clauses Act, 1847, except the following sections thereof, namely, sections 6 to 55 (both inclusive) and 84, 96, 97 and 98, shall be incorporated with this Order.

Borrowing.

4. The Commissioners may borrow on mortgage or bond, at interest, such sums of money as may be required for the purposes of the works authorized by this Order, not exceeding in the whole the sum of three thousand pounds.

Sinking fund.

5. In order to create a sinking fund for the discharge of the principal money so borrowed, the Commissioners shall yearly set apart the surplus revenue of the Harbour, and shall deposit the same in some joint stock bank of issue in Scotland, to be increased by accumulation in the way of compound interest or otherwise, until the time when the accumulated fund shall be sufficient to pay off the principal money borrowed, or any such part thereof as the Commissioners may think ought to be then paid off, and the Commissioners shall then apply such accumulated fund in such payment accordingly; but so that the Commissioners shall not allow any sum exceeding five hundred pounds to remain so deposited for a longer time than six calendar months without applying the same in such payment as aforesaid.

Re-borrowing.

6. Any money borrowed under this Order and discharged by means of the sinking fund aforesaid shall not be re-borrowed; but any money borrowed and discharged otherwise than by means of such sinking fund may be re-borrowed, if required for the purposes of this Order, and so toties quoties.

Receiver.

7. The mortgagees of the Commissioners may enforce the payment of the arrears of interest, or of the arrears of principal and interest, due to them on their respective mortgages, by the appointment of a receiver. The amount to authorize a requisition for a receiver shall be one thousand pounds.

Money to be applied to purposes of order.

8. Every part of the money borrowed under this Order shall be applied only for purposes authorized by this Order.

Lands.

Power to take specified lands by agreement.

9. For the purposes of this Order, the Commissioners may from time to time, by agreement, enter on, take, or use all or any part of the lands shown on the deposited plans as intended to be taken for the purposes of the proposed works.

Lands Clauses Acts incorporated.

10. The Lands Clauses Consolidation (Scotland) Act, 1845, except with respect to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order.

Works.

Power to make works.

11. Subject to the provisions of this Order, the Commissioners may, on the lands taken by them under this Order, and in the lines and according to the levels, and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

 12. The

12. The works authorized by this Order comprise the following:—

Description of piers and breakwater.

To alter, deepen, improve, and enlarge, the Harbour of Rosehearty with the entrance to the same, lying in the parish of Pitsligo, in the county of Aberdeen; to clear out sunken rocks in the channel approach to the said Harbour:

To make and maintain a Pier or Breakwater, and other works and conveniences connected therewith, commencing at the termination of the present north pier or breakwater of the said Harbour, and extending seaward in a northerly direction to the extremity of the rocks, called the Tarn-head, a distance of one hundred and seventy feet or thereabouts:

To make another Pier, and works and conveniences connected therewith, commencing at the termination of the present pier, called Port Rae, lying within the limits of the said Harbour, and extending in a south-easterly direction two hundred and sixty feet or thereabouts; and to deepen and improve the approach to the last-mentioned Pier.

Rates.

Power to take rates according to Schedule.

13. The Commissioners may demand and receive in respect of the vessels, goods, and things described in the Schedule hereto, any sums not exceeding the rates in that Schedule specified.

Custom House Officers exempt from rates.

14. Officers of Customs being in the execution of their duty, shall at all times have free ingress, passage and egress, on, into, along, through, and out of, the Pier and Harbour, by land, and with their vessels and otherwise, without payment.

Application of rates and monies received by the Commissioners.

15. The Commissioners shall apply all rates received under this Order, and all other money coming to their hands from the existing Harbour or new works, or the lands or property connected therewith, for the purposes and in the order following, and not otherwise:—

(1.) In paying the costs of and connected with the preparation and making of this Order:

(2.) In paying the expenses of the maintenance, management and regulation, of the existing Harbour and new works, and of the lands and property connected therewith:

(3.) In paying the interest on any money borrowed under this Order, and any sum payable on account of the principal thereof:

(4.) As to the surplus revenue of the Harbour, that is to say, so much of the rates and other money aforesaid as may remain after making the several payments before in the present clause directed,—in creating a sinking fund in manner before in this Order specified.

General Provisions.

Life-boats, tide-gauges, &c.

16. The following provisions of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections 16, 17, 18, and 19.

Lands for extraordinary purposes.

17. The Commissioners shall not purchase for extraordinary purposes lands exceeding in extent in the whole two acres.

Meters and weighers.

18. The Commissioners shall have the appointment of meters and weighers within the Harbour.

19. The

19. The Commissioners may provide such steam engines, steam vessels, piling engines, diving bells, ballast lighters, rubbish lighters, and other machinery and vessels, as they think necessary for effectuating any of the purposes of this Order; and may demand and receive such sums for the use of the same as they think reasonable. Steam engines, diving bells, lighters, &c.

20. The Commissioners shall be a pilotage authority and a local authority within the meaning of The Merchant Shipping Act, 1854, with all the powers by that Act conferred on pilotage authorities and local authorities. Pilotage, lights, buoys, and beacons.

21. Part V. of The Harbours and Passing Tolls, &c. Act, 1861, shall apply to Rosehearty Harbour as altered under this Order. Part V. of 24 & 25 Vict. c. 47 to apply.

22. This Order may be cited as The Rosehearty Harbour Order, 1863. Short title.

Board of Trade, Whitehall.

Dated this 4th day of April 1863.

(Signed) T. H. Farrer,
Assistant Secretary.

SCHEDULE.

I.—Rates on Vessels and Boats entering or using the existing Harbour or New Works.

	Per Ton. s.	d.
For every vessel under the burden of 15 tons	0	1½
For every vessel of the burden of 15 tons and upwards	0	
All boats entirely open, landing or taking on board goods, or dried or salted fish, each	0	6
All drave or large boats entering the harbour or precincts thereof, with fresh fish (except those belonging to or fishing at Rosehearty during the whole herring fishing season), each	0	4
All open boats engaged in the herring fishing at Rosehearty, shall pay one cran of herrings each out of the first herrings which may be caught after the ordinary fishing with net commences, in full of rates or tonnage duty, including water and lights, for the whole period of their fishing season.		

II.—Rates on Goods, shipped or unshipped, received or delivered, within the existing Harbour, or at the New Works.

	s.	d.
Ale and porter, per hogshead	0	6
Ale and porter, bottled, per barrel bulk	0	3
Bark or cutch, per ton	1	0
Barrels, empty, each	0	0½
Beef or pork, per ton	1	4
Beef or pork, per barrel	0	2
Blubber, per ton 252 gallons	1	0
Bone dust, per ton	0	8
Bones of cattle, per ton	0	6
Bottles, per gross	0	2
Bricks, per thousand	0	8
Butter, per ton	1	4

	s.	d.
Casks, empty, not being returned packages, per puncheon	0	3
Other casks, not enumerated, in proportion.		
Cattle: viz.—		
Bulls, each	0	3
Cows and oxen, each	0	2
Calves, each	0	0½
Horses, each	0	2
Pigs, each	0	0½
Sheep, per score	0	6
Lambs, per score	0	3
Chalk, per ton	0	6
Cheese, per ton	1	4
Chimney cans, per hundred	1	4
Clay, fire, manufactured, per ton	0	6
Clay, common, per ton	0	2
Cloth, haberdashery, &c., per barrel bulk	0	2
Coaches: viz.—		
Chaises and other four-wheeled carriages, each	0	8
Gigs, carts, and other two-wheeled carriages, each	0	6
Coals:		
Scotch, English, smithy, and culm, per ton	0	3
Copper, per ton	1	4
Corks, per barrel bulk	0	2
Corn: viz.—		
Wheat and malt, per quarter	0	2
Barley, beans, pease, tares, oats, rye, buckwheat, and Indian corn, per quarter	0	1½
Crystal, per barrel bulk	0	2
Dissolved bones and other artificial manures, per ton	0	8
Drugs, per barrel bulk	0	3
Earthenware, per crate	0	8
Eggs, per barrel bulk	0	2
Fish, dried and salted, per ton	1	4
Fish, fresh, haddocks, cod, ling, and all fish not enumerated, per barrel bulk of 2½ cwt.	0	2
Flax and hemp, per ton	1	4
Flour, per sack	0	2
Flour, per barrel	0	1½
Glass, per barrel bulk	0	3
Groceries: viz.—		
Almonds, figs, cinnamon, currants, pepper, pimento, plums, prunes, raisins, and the like, per barrel bulk	0	3
Guano, per ton	0	8
Gunpowder, per barrel	0	3
Hardware, per barrel bulk	0	3
Hay, per ton	0	8
Herrings, fresh, per cran	0	1
Herrings, cured, upon which dues have been charged on landing them fresh at this Harbour, per barrel	0	1
Herrings brought here for shipment, which have been landed fresh at any other place, and have not been charged dues at this Harbour, per barrel	0	2
Hides: viz.—		
Ox, cow, or horse, salted or dried, per ton	1	4
Calf skins, per 120	0	10
Sheep skins, per 120	0	10
Lamb skins, per 120	0	6
Hoops of wood, per thousand	0	5

	s.	*d.*
Hoops, iron, per ton	*1*	*4*
Household furniture, per barrel bulk	*0*	*1*
Household furniture belonging to parties changing their residence only, per 10-barrel bulk	*0*	*6*
Husbandry utensils, per ton	*1*	*4*
„ per barrel bulk	*0*	*2*
Iron: viz.—		
Bar, bolt, and rod, per ton	*1*	*4*
Pig or old, per ton	*0*	*8*
Kelp, per ton	*0*	*8*
Lead, all kinds, per ton	*1*	*4*
Leather, tanned and dressed, per ton	*1*	*4*
Lime, per chaldron of 16 bolls	*0*	*8*
Limestone, per ton	*0*	*3*
Loam or moulding sand, per ton	*0*	*3*
Machinery, per ton	*1*	*3*
„ per barrel bulk	*0*	*3*
Manure, street, per ton	*0*	*2*
Meal, per bag of 280 lbs.	*0*	*2*
Oils, per tun	*1*	*0*
Ores: viz.—		
Copper, iron, lead, and other ores, per ton	*0*	*8*
Passengers' luggage, not exceeding 4 barrels' bulk, free; all above 4 barrels' bulk, per barrel bulk	*0*	*3*
Peats, per ton	*0*	*3*
Potatoes, per ton	*0*	*4*
Rags of all kinds, and old ropes, per ton	*0*	*10*
Rape and oil-cakes, per ton	*0*	*8*
Salmon, per barrel bulk	*0*	*2*
Salt in bulk, per ton	*0*	*4*
„ in barrels, per barrel	*0*	*1*
Seeds of all kinds, not enumerated, per ton	*1*	*4*
Skins, seal, per 120	*0*	*8*
Slates, under size, per 1,000	*0*	*6*
„ sizeable „	*0*	*10*
„ over size „	*1*	*4*
Spirits, foreign and British, per hogshead of 56 gallons	*0*	*8*
Stones:		
Rubble, per ton of 16 cubic feet	*0*	*2*
Hewn ashlar freestone, per ditto	*0*	*4*
Rough ashlar freestone, per ditto	*0*	*3*
Pavement, not exceeding 3 inches thick, per 70 feet	*0*	*4*
Pavement, above 3 inches thick, per 16 cubic feet	*0*	*4*
Scythe stones, per score	*0*	*1*
Mill stones, each	*0*	*6*
Grave stones, each	*0*	*6*
Grind stones, each	*0*	*4*
Steel, per ton	*1*	*4*
Sugar, per ton	*1*	*4*
Tallow, per ton	*1*	*4*
Tar, pitch, or resin, per barrel	*0*	*2*
Tea, per chest	*0*	*3*
Tiles, roofing, per 1,000	*0*	*9*
Tiles, or pipes for draining, per 1,000	*0*	*7*
Tin of all kinds, per ton	*1*	*4*
Tobacco, per ton	*2*	*6*
Treenails, under 2 feet in length, per 1,000	*0*	*6*
„ exceeding 2 feet in length, per 1,000	*1*	*0*

	s.	*d.*
Turnips, per ton	*0*	*4*
Turpentine, per hogshead	*0*	*8*
Vegetables, per cart-load	*0*	*2*
Vinegar, per hogshead	*0*	*6*
Vitriol, per carboy	*0*	*2*
Whalebone, per ton	*2*	*6*
Wine, per hogshead	*0*	*8*
Wine, bottled, per barrel bulk	*0*	*4*
Wood: viz.—		
Fir, pine, and other descriptions, not enumerated, per load of 50 feet	*0*	*10*
Oak or wainscoat, per load of 50 feet	*1*	*0*
Firewood or burnwood, per fathom	*0*	*6*
Laths and lathwood, per fathom of 216 cubic feet	*2*	*6*
Handspikes, per 120	*0*	*10*
Oars, per 120	*2*	*6*
Spars, under 22 feet in length, above 2½ and under 4 inches diameter, per 120	*2*	*6*
Spars, 2½ inches in diameter and under, per 120	*1*	*4*
,, 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120	*6*	*6*
Spars of all lengths above 4 and under 6 inches in diameter, per 120	*12*	*0*
Spokes of wheels, not exceeding 2 feet in length, per 120	*0*	*4*
,, ,, exceeding 2 feet in length, per 120	*0*	*6*
Pipe staves, per standard hundred	*1*	*0*
Herring barrel stave, per 1,000 feet	*0*	*9*
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	*1*	*4*
Wool, per cwt.	*0*	*2*
Yarn, per ton	*1*	*4*
Zinc, per ton	*1*	*4*

All other Goods not particularly enumerated in the above Table, viz.—

	s.	*d.*
Light goods, per barrel bulk	*0*	*2*
Heavy goods, per ton	*1*	*4*

In charging the rates on goods, the gross weight or measurement of all goods to be taken; and, for any less weights, measures, and quantities than those above specified, a proportion of the respective rates shall be charged.

Five cubic feet, not exceeding two-and-a-half hundredweight, to be rated as a barrel bulk; but when the weight of five cubic feet is greater than two-and-a-half hundredweight, then two-and-a-half hundredweight to be rated as a barrel bulk.

Rates for the Use of Sheds, Cranes, and Weighing Machines.

1.—*Sheds.*

For each ton of goods of 8 barrels bulk, or for each ton of goods of 20 cwt., which shall remain in any shed or on the pier for a longer time than 48 hours, the sum of *3d.*; and the sum of *1½d.* per ton for each day during which such goods shall remain after the first 48 hours.

2.—*Cranes.*

	s.	*d.*
All goods or packages not exceeding one ton	*0*	*3*
Exceeding one ton and not exceeding two tons	*0*	*4*
Exceeding two tons and not exceeding three tons	*0*	*6*

	s.	*d.*
Exceeding three tons and not exceeding four tons	*0*	*8*
Exceeding four tons and not exceeding five tons	*0*	*10*
Exceeding five tons and not exceeding six tons	*1*	*0*
Exceeding six tons and not exceeding seven tons	*1*	*2*
Exceeding seven tons and not exceeding eight tons	*1*	*4*
Exceeding eight tons and not exceeding nine tons	*1*	*8*
Exceeding nine tons and not exceeding ten tons	*2*	*0*
Exceeding ten tons	*3*	*0*

3.—*Weighing Machines.*

For goods weighed, ½*d.* for each ton or part of a ton.

ILFRACOMBE.

Provisional Order of the Board of Trade for the Improvement, Maintenance, and Regulation of the Harbour at Ilfracombe in the County of Devon.

Whereas the Ilfracombe Harbour Company (Limited), herein-after called the Company, made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council, appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, praying their Lordships to grant a Provisional Order, pursuant to The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, containing powers for the construction at Ilfracombe, in the county of Devon, of a pier, breakwater, and other works, and for the conversion and deepening of the present harbour into a floating dock, and containing powers and privileges for the complete execution of the works, and for the levying of rates and tolls: Preamble.

And whereas the estimated expenditure on the proposed works is Fifty thousand pounds and no more:

And whereas the promoters published the advertisements and deposited the documents which by the last-mentioned Act they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled the present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force :—

The Undertakers.

1. The Company shall be the undertakers of the works authorized by this Order.

Power to take specified lands by agreement.

2. For the purposes of the works authorized by this Order, the Company may from time to time, by agreement, enter on, take, or use all or any part of the lands shown on the deposited plans as intended to be taken for the purposes of the proposed works.

Lands Clauses Acts incorporated.

3. The Lands Clauses Consolidation Act, 1845, except with respect to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Act Amendment Act, 1860, shall be incorporated with this Order.

Lands for extraordinary purposes.

4. The Company shall not purchase for extraordinary purposes land exceeding in extent in the whole five acres.

Power to make works.

5. Subject to the provisions of this Order, the Company may, on the lands taken by them under this Order, and in the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of works.

6. The works authorized by this Order comprise the following :—

(1.) An iron and stone pier and breakwater, with all proper works, approaches, and other conveniences connected therewith, for the embarking and landing of passengers, goods, and merchandize, which pier and breakwater will commence at a point eighty feet or thereabouts to the eastward of the junction of the existing quay with the pier, and extend seawards nine hundred feet or thereabouts in a north-easterly direction :

(2.) A quay or pier commencing at a point two hundred and forty feet or thereabouts to the eastward of the ship-building yard belonging to Sir Bourchier Wrey, and in the occupation of Mr. Alfred Cook :

(3.) The improvement of the existing harbour at Ilfracombe, by the conversion and deepening of the present harbour into a floating dock, with the construction of locks and all other necessary works in connection therewith ;

(4.) The construction in connection with the proposed pier, breakwater, and harbour, of quays, wharves, jetties, landing places, approaches, warehouses, offices, sheds, weighing machines, and other works and conveniences.

Power to take rates according to schedule to this Order.

7. The Company may demand and receive in respect of the vessels, goods, persons, and things in the Schedule hereto described any sums not exceeding the rates in that Schedule specified.

Power for Company to contract with persons for use of pier.

8. The Company may grant to passengers and promenaders and others pass-tickets for the use of the pier on such terms and for such period not exceeding one year as may be agreed on, but so that no preference be given to any person. Such a pass-ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit pass ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847.

9. Officers

9. Officers of Customs being in the execution of their duty shall at all times have free ingress, passage, and egress to, on, along, through, and from the pier, breakwater, harbour, and works, by land and with their vessels, and otherwise, without payment. Exemption of Custom House Officers from rates.

10. Part V. of The Harbours and Passing Tolls, &c. Act, 1861, shall apply to the works by this Order authorized. Part V. of 24 & 25 Vict. c. 47. to apply.

11. The Company shall have the appointment of meters and weighers on, within, and in connexion with the pier, breakwater, harbour, and other works. Meters and weighers.

12. The Company may provide such steam engines, steam vessels, tugs, piling engines, diving bells, ballast lighters, rubbish lighters, and other machinery and vessels, as they think necessary for effectuating any of the purposes of this Order, and may demand and receive such sums for the use of the same as they think reasonable. Steam engines, diving bells, lighters, &c.

13. This Order may be cited as The Ilfracombe Harbour Order, 1863. Short Title.

Board of Trade, Whitehall.
Dated this 9th day of April 1863.

(Signed) T. H. Farrer,
Assistant Secretary.

SCHEDULES to which Order refers.

I.—Tonnage Rates.

	s.	*d.*
For every vessel clearing for any port in the United Kingdom or the Isle of Man, per ton	*0*	*4*
For every vessel clearing for any port in Europe except the Mediterranean, or for any port in the British Possessions or United States in North America, per ton	*0*	*6*
For any vessel clearing for any other port or place than those above specified, per ton	*0*	*9*
For every vessel entering the docks for the sole and exclusive purpose of delivering or unloading ballast, per ton	*0*	*2*
For every vessel with a cargo from any port in the United Kingdom or the Isle of Man, per ton	*0*	*4*
For every vessel with a cargo from any port or place in Europe except the Mediterranean, or from any port in the British Possessions, or United States in North America, per ton	*0*	*6*
For every vessel with a cargo from any port in the Mediterranean, including Gibraltar, per ton	*0*	*9*
For every vessel with a cargo from any port or place in the Atlantic Ocean, as far south as the Cape of Good Hope or Cape Horn, per ton	*0*	*9*
For every ship with a cargo from any port or place eastward of the Cape of Good Hope, or westward of Cape Horn, per ton	*1*	*0*
For every vessel entering and leaving the docks or harbour without delivering or loading cargo, per ton	*0*	*3*

II.—Rates on Goods Shipped or Unshipped.

	s.	d.
Alabaster, per ton	2	0
Ale, beer, or porter, per butt or pipe	1	0
Ditto, per hogshead	0	6
Ditto, per barrel	0	4
Ditto, per kilderkin	0	2
Ditto, in bottles, per dozen	0	1
Alkali, per ton	2	0
Alkanet root, per cwt.	0	4
Alum, per cwt.	0	2
Almonds, per cwt.	0	3
Aloes, per cwt.	0	4
Alva marina, or sea grass, per ton	1	6
Amber, per cwt.	0	4
Ambergris, per package	1	0
Anchors, per cwt.	0	3
Anchovies, per cwt	0	6
Angelica, per cwt.	0	3
Animals, stuffed, each	0	6
Annatto, per cwt.	0	6
Anniseeds, per cwt.	0	3
Antimony, per cwt.	0	3
Anvils, per cwt.	0	1
Apples or pears, per cwt.	0	3
Argol, per cwt.	0	3
Arrowroot, per cwt	0	3
Arsenic, per cwt.	0	3
Ashes, barilla, per cwt.	0	1
Pearl and pot, per cwt.	0	2
Black, per cwt.	0	1
Bleaching, per cwt.	0	2
Common, per cwt.	0	1
Soda, per cwt.	0	1
Asphaltum, per cwt.	0	2
Assafœtida, per cwt.	0	6
Bacon or pork, per cwt.	0	3
Bags, empty, per score	0	2
Bagging, per cwt.	0	4
Ballast, per ton	0	6
Balsam, per cwt.	0	6
Bark, tanner's, per ton	2	0
Medicinal, per cwt.	0	4
Barilla, per ton	2	0
Baskets:		
Large, bale, or case	1	0
Small ditto, ditto, or bundle of goods not enumerated	0	6
Large, each	0	2
Small or empty, each	0	1
Basket rods, per thousand	0	3
Bass rope, per cwt.	0	2
Bedding, per bundle	0	1
Beef or pork, per tierce	0	6
Ditto, per barrel	0	4
Ditto, per half barrel and smaller package	0	2
Beehives, per dozen	0	4
Beer, spruce, per keg	0	2

	s.	*d.*
Beeswax, per cwt.	*0*	*6*
Bell metal, per cwt.	*0*	*2*
Bellows, smiths', each	*0*	*9*
Bellows, common, per dozen	*0*	*6*
Berries: bay, juniper, and yellow, per ton	*3*	*0*
Betel nuts, per cwt.	*0*	*2*
Biscuit or bread, per cwt.	*0*	*2*
Blacking, per cwt.	*0*	*2*
Blocks, heel, per gross	*0*	*3*
Last, per dozen	*0*	*2*
Ship, per dozen	*0*	*2*
Blubber, per ton	*2*	*0*
Blue, per cwt.	*0*	*4*
Bobbins, per cask	*1*	*0*
Bones and bone dust, per ton	*1*	*6*
Books, per cwt.	*0*	*6*
Boots and shoes, per hogshead	*1*	*0*
Ditto, per cwt.	*1*	*6*
Borax, per cwt.	*0*	*2*
Bottles, loose, empty, per gross	*0*	*6*
In hampers or crates, per package	*0*	*2*
Bowls of wood, per dozen	*0*	*2*
Boxes, empty, each	*0*	*2*
Iron for wheels, per cwt.	*0*	*1*
Bran, per sack	*0*	*2*
Brandy, per hogsheod	*1*	*6*
Brass, new, per cwt.	*0*	*2*
Brass, old, per cwt.	*0*	*1*
Bricks, common, per thousand	*1*	*0*
Fire, per thousand	*2*	*0*
Scouring, per thousand	*1*	*6*
Slabjacks, per dozen	*0*	*2*
Brimstone, per cwt.	*0*	*1*
Bristles, per 12lbs.	*0*	*1*
Brooms, birch, per gross	*0*	*4*
Hair, per bale	*0*	*3*
Brooms and brush handles, per gross of 12 dozen	*0*	*6*
Brush heads and stocks, per hundred	*0*	*2*
Brushes, hair, rush, or whalebone, per dozen	*0*	*2*
Bugles and beads, per cwt.	*0*	*3*
Bullion, per small package	*1*	*0*
Ditto, per package not exceeding 5*l.* value	*0*	*6*
Bullrushes, per bundle	*0*	*1*
Buoys, each	*2*	*6*
Butter, per cwt.	*0*	*2*
Ditto, per firkin	*0*	*2*
Ditto, per pot	*0*	*1*
Cables, hempen or coil, per ton	*2*	*0*
Calamine, per cwt.	*0*	*1*
Calaminaris, lapis, per cwt.	*0*	*1*
Calves velves, per cwt.	*0*	*3*
Camel's hair, per cwt.	*0*	*4*
Camphor, per cwt.	*0*	*6*
Candles, tallow, chest of 14 dozen	*0*	*6*
Ditto ditto, half chest	*0*	*3*
Ditto, wax, per 12lbs.	*0*	*1*
Canella alba, per cwt.	*0*	*4*
Canes, per bundle	*0*	*6*

	s.	d.
Cantharides, per cwt.	1	0
Canvas, per bolt	0	1
Caoutchouc, per cwt.	0	4
Capers, per cwt.	0	6
Capillaire, per 100 gallons	1	6
Carboys, empty, each	0	1
Cardamoms, per cwt.	0	6
Cards, wool, per dozen	0	1
Carraway seeds, per cwt.	0	3
Carriages or coaches, each	7	6
Gigs, each	4	0
For guns, each	1	6
Carts, each	2	6
Hand, and perambulators, each	1	0
Casks, empty, not being returned packages, per puncheon	0	3
Cassia, per cwt.	0	6
Cattle, viz. :		
Bulls, cows, and oxen, each	2	0
Calves, each	1	0
Horses, each	3	0
Pigs or sheep, each	0	6
Ponies, asses, or mules, each	1	6
Caviare, per cwt.	0	2
Cement, per cwt.	0	1
Chairs, mahogany, rosewood, &c., per dozen	2	0
Cane, garden, or camp-stool, per dozen	1	6
Chaff cutters, each	0	9
Chalk, per ton	1	0
Charcoal, per sack	0	1
Cheese, per cwt.	0	3
Chesnuts, per bushel	0	1
Chicory root, per cwt.	0	3
Chilies, per cwt.	0	6
Chimney pots, each	0	1
China root, per cwt.	0	4
Ware, per hogshead	1	6
Ditto, per tierce	1	0
Chiranga root, per cwt.	0	6
Chirt stones, per ton	1	0
Chocolate, per cwt.	0	6
Cider or Perry, per hogshead	0	6
In bottles, per dozen	0	1
Cigars, per cwt.	0	6
Cinders, coke, and culm, per ton	0	6
Cinnabar, per cwt.	0	9
Cinnamon, per cwt.	0	6
Citron, in salt, per pipe	1	0
Ditto preserves, per cwt.	0	4
Clay, per ton	0	6
Cloth, packs not exceeding 1 cwt.	0	4
Linen or woollen, bale, pack, or truss, per cwt.	0	4
Linen, woollen, or cotton, in boxes, per foot	0	1
Clocks, per dozen	2	0
Clogs, soles, per gross	0	6
Clover seed, per cwt.	0	3
Cloves, per cwt.	0	6
Coals, per ton	0	9
Cobalt, per ton	2	0

	s.	*d.*
Cochineal, per cwt.	0	6
Cocoa, per cwt.	0	4
Cocoa nuts, per 100	0	6
Coculus indicus, per cwt.	0	4
Coffee, per cwt.	0	4
Coir, rough, press-packed, and yarn, per ton	2	0
Rope, under 6 inches, per cwt.	0	2
Colours, painter's, per cwt.	0	3
Columbo root, per cwt.	0	4
Copper, per ton	3	0
Regulus, per ton	1	0
Furnaces, per 20 gallons	0	4
Coppers and stills, per ton	4	0
Copperas, per ton	2	0
Coquilla nuts, per 1,000	1	0
Coral, per cwt.	1	0
Cordage, per cwt.	0	2
Cordials, per case of 1 dozen	0	2
Ditto, per hogshead	1	6
Coriander seed, per cwt.	0	3
Corks, per 10 gross	0	3
Cork, per cwt.	0	3
Cotton, raw, per cwt.	0	3
Cowries, per cwt.	0	3
Cradles, each	0	2
Cranberries, per 5 gallons	0	2
Cream of tartar, per cwt.	0	4
Crystal, per box or package	0	6
Cubebs, per cwt.	0	6
Cummin seed, per cwt.	0	6
Currants, per cwt.	0	3
Dates, per cwt.	0	3
Diamonds, or other precious stones, per package	5	0
Divi divi, per ton	1	6
Dogs, each	0	6
Down, eider, per cwt.	0	9
Dragon's blood, per cwt.	0	6
Dripstones, each	0	6
Drugs, not enumerated, per cwt.	0	6
Ditto, per cubic foot	0	1
Earth, black, brown, red, yellow, and fuller's, per ton	1	0
Earthenware, per hogshead or large crate	1	0
Ditto, per tierce or small crate	0	6
Ditto, per case	1	0
Eau de Cologne, per case	1	0
Eggs, per gross of twelve dozen, or any less quantity	0	1
Elephant's teeth, per cwt.	0	6
Empty bags and sacks (not returned), per cwt.	0	2
Epsom salts, per cwt.	0	2
Essences, per package	1	0
Euphorbium, per cwt.	0	4
Extract of oak bark, per cwt.	0	2
Fans, per case or box	1	0
Feathers, per cwt.	0	6
Ostrich, per package	1	6
Felt, per cwt.	0	2
Figs, per cwt.	0	3
Fire arms, per chest or case	1	0

	s.	d.
Fish, fresh, per cwt.	0	2
Herrings, cured, per barrel	0	4
Other cured fish, per cwt.	0	3
Flax, rough, per ton	2	0
Ditto, per dozen hanks	0	1
Cordilla or tow, per ton	2	0
Floorcloth, per cwt.	0	4
Flour and meal, per sack or bag	0	2
Flower roots, plants, or trees, in packages, at per foot	0	1
Frankincense, per cwt.	0	6
Fruit, green or dry, per cwt.	0	2
Furniture, household, at per cubic foot	0	1
Fuel, patent, per ton	1	0
Flock, per bag	0	3
Galbanum, per cwt.	0	4
Gallangal, per cwt.	0	4
Galls, per cwt.	0	4
Gamboge, per cwt.	0	4
Gates, iron or wood, each	0	2
Gentian root, per cwt.	0	4
Ginger, per cwt.	0	4
Ginseng, per cwt.	0	4
Glass, per crib, slide, or case	0	6
Glauber salts, per cwt.	0	2
Glue, per cwt.	0	1
Grain and seeds, not enumerated, per quarter	0	4
Grapes, per barrel or jar	0	3
Ditto, per half-barrel or box	0	2
Grates and stoves, large, each	0	9
Ditto ditto middle, each	0	6
Ditto ditto small, each	0	3
Gravel or sand, per ton	0	6
Grease or greaves, per cwt.	0	2
Grindstones, every 12 inches in diameter	0	3
Groats, per cwt.	0	2
Guano, per ton	1	6
Gums, not enumerated, per cwt.	0	4
Gunpowder, per 100 lbs.	0	3
Haberdashery and hosiery, in bales, per cwt.	0	4
Ditto ditto in boxes, per foot	0	1
Hair, per cwt.	0	3
Hams, per cwt.	0	3
Hanks for sails, per dozen	0	1
Hardware, per cwt.	0	2
Harrows, each	0	6
Hartall, per ton	2	0
Hats, per box, per foot	0	1
Hay, or grass, per load or ton	1	0
Hay rakes, per dozen	0	3
Hemp, per ton	2	0
Hides, dry or salted, per cwt	0	3
Wet, per cwt.	0	2
Hide fleshings, per cwt.	0	2
Roundings or glue pieces, per cwt.	0	2
Hilts: Pick, per gross	1	0
Shovel, per dozen	0	2
Hones, per cwt.	0	2

	s.	d.
Honey, per gallon	0	1
Ditto, per cwt.	0	6
Hoofs, per cwt.	0	2
Hoops for mast, or white hoops, per dozen	0	2
Ditto, per bundle	0	1
Hops, per bag	1	0
Ditto, per pocket	0	6
Ditto, per end	0	3
Horns, ox and cow, per 100	0	4
Hurdles, per dozen	0	3
India rubber, loose, per cwt.	0	6
Ditto, in packages	0	4
Indigo, per cwt.	1	6
Ink, China, per cwt.	1	0
Inkle, per cwt.	0	6
Ipecacuanha, per cwt.	0	6
Iron in bars, shot, pigs, packages or loose, per ton	1	0
Ditto, hoops, chains, horseshoes and ploughshares, per ton	1	6
Ditto, nails and nail rods, per cwt.	0	1
Manufactures or machinery, in packages of 20 cwt. and not exceeding 5 tons each, per ton	3	0
Ditto, under 20 cwt.	2	0
Cables, per ton	2	0
Stamp heads, per ton	1	6
Furnaces, at per 20 gallons	0	2
(Cast) hollow ware, per cwt.	0	3
Wire, per cwt.	0	1
Plates, tinned, per box	0	3
Irons, bakers, and pudding pans, per cwt.	0	1
Patten, per gross	0	6
Isinglass, per cwt.	0	6
Ivory, per cwt.	1	0
Jack screws, per pair	0	6
Or fishing lines, per dozen	0	1
Junk or old rope, per cwt.	0	1
Jute, pressed, packed, per ton	2	0
Kelp, per ton	1	6
Kips, per cwt.	0	3
Lac dye, stick, seed, and shell, per cwt.	0	4
Ladles, per gross	0	6
Lamp black, per cwt.	0	4
Lanthorns, horn or glass, per dozen	0	2
Lard, per cwt.	0	2
Laths, per 1,000 of 4 feet, and other lengths in proportion	1	0
Lavender flowers, per cwt.	0	6
Lead, pigs or sheet, per ton	2	0
Black or white, per ton	3	0
Shot, per ton	2	6
Leather, tanned, per cwt.	0	3
Wrought, per cwt.	0	4
Leeches, per package	1	0
Lime juice, per hogshead	1	0
Lime, burnt, per ton	1	0
Limestone, per ton	0	6
Lint cloth, not in bales, per piece	0	3
Liquor, in bottles, per case or box	0	6
Liquorice or succus liquoritæ, per cwt.	0	3
Ditto root, in bundles or loose, per cwt.	0	4

	s.	d.
Maccaroni and vermicelli, per cwt.	0	4
Mace, per cwt.	0	6
Machinery, wood and iron mixed, not enumerated, per foot	0	1
Madder and madder roots, per cwt.	0	4
Malt, per quarter	0	6
Manganese, per ton	0	6
Mangles, each	1	6
Manna, per cwt.	0	6
Manure (not enumerated), per ton	1	0
Marble baths, each	5	0
Mortars, per ton	3	0
Slabs, per cwt.	0	4
Rough, in packages	0	3
Block, per ton of 12 cubic feet	3	6
Marbles, per barrel	0	6
Mats, per dozen	0	1
Maunds or hampers, empty, imported, per dozen	0	2
Melons, per basket	0	4
Melting pots, per dozen	0	3
Millboards, per 120 boards	0	6
Millinery, per foot	0	2
Molasses or treacle, per cwt.	0	2
Ditto, per puncheon	0	10
Ditto, per half ditto	0	5
Ditto, per small cask	0	3
Mops and brushes, per dozen	0	3
Mother-of-pearl shell, per cwt.	0	4
Mundic, per ton	0	6
Munjeet, per cwt.	0	4
Muriate of lime, potash, and soda, each, per cwt.	0	1
Musical instruments, per foot	0	1
Muskets, per dozen	0	6
Mustard, per firkin of 72 lbs.	0	3
Ditto, per firkin of 36 lbs., or box	0	2
Myrabolanes, per cwt.	0	3
Myrrh, per cwt.	0	4
Natron, per ton	2	0
Nankeen, per chest	1	0
Nests of trunks, per foot	0	1
Nickel, per ton	3	0
Nitrate of soda, per ton	2	0
Nutmegs, per cwt.	0	6
Nuts, per cwt.	0	3
Nux vomica, per cwt.	0	4
Oakum, per ton	2	0
Ochre, per ton	2	0
Oil, castor and essential, per cwt.	0	4
Fish, olive, seed, palm, and nut, per ton of 20 cwt.	2	0
In flasks, per chest	0	6
Ditto, per half chest	0	3
Oilcake, per ton	2	0
Olives, per barrel	0	4
Ditto, per jar	0	1
Onions, per cwt.	0	2
Opium, per cwt.	0	6
Oranges and lemons, per box	0	2
Ditto, per chest	0	4
Peel and buds, per cwt.	0	3

	s.	d.
Orchilla weed, per cwt.	0	4
Ores, per ton	1	0
Orpiment, per cwt.	0	3
Orris root, per cwt.	0	3
Orsidew, per package	0	6
Ox bows, per dozen	0	2
Oysters, per 1000	0	4
Paints, per cwt.	0	3
Paintings, pictures, and pier glasses, per foot	0	3
Pans, warming, per dozen	0	3
Ditto, brass, per cwt.	0	6
Paper, stationer's, per cwt.	0	4
Ditto, common, per cwt.	0	2
Parcels, 12 inches square, each	0	2
Pattens, wood, per gross	0	6
Peas, per tierce	0	4
Ditto, per barrel	0	2
Pellitory root, per cwt.	0	6
Pepper, per cwt.	0	3
Pessara, per cwt.	0	3
Pewter, per cwt.	0	2
Phials, in packages, per foot	0	1
Pianofortes, each	4	0
Pickles, per dozen bottles	0	1
Pill boxes, per vat	3	0
Ditto, per smaller packages	2	0
Pimento, per bag of 100 lbs.	0	3
Pink root, per cwt.	0	3
Pins, per cwt.	0	4
Pipe clay, per ton	1	6
Pipes for smoking, per hogshead	1	0
Ditto, per box or barrel	0	6
Pitch, tar or resin, per barrel	0	3
Plaister of Paris, per cwt.	0	1
Ploughs, each	1	0
Plums, raisins, figs, and prunes, per cwt.	0	3
Potatoes, per bushel of 2 cwt.	0	1
Poultry, fowels, &c., per dozen	0	2
Powder, hair, per cwt.	0	2
Pozzolano, per ton	2	0
Preserves, succades and sweetmeats, per cwt.	0	4
Prussiate of potash, per ton	2	0
Pyroligneate of lead, per ton	1	6
Quern stones, each	1	0
Quicksilver, per bottle	0	3
Quills, stationer's, per 1,000	0	6
Miner's, per cwt.	1	0
Quinine, per case	0	6
Rabbits, per score	0	3
Rags, per cwt.	0	1
Ratania root, per cwt.	0	6
Rhubarb, per cwt.	0	6
Rice, per tierce of 4 cwt.	0	8
Sacks of goods not enumerated	0	2
Safflower, per cwt.	0	3
Saffron, per cwt.	0	6
Sago, per cwt.	0	2
Sails, per cwt.	0	4

	s.	d.
Sal ammoniac, per ton	1	6
Salmon, per tierce or chest	0	6
Salt, per ton	0	6
Saltpetre and cubic nitre, per cwt.	0	2
Sand, per ton	0	6
Sarsaparilla, per cwt.	0	6
Sassafras, per cwt.	0	4
Scammony, per cwt.	0	6
Scythe stones, per 100	0	3
Scythes, per dozen	0	3
Scuttles, coal, copper, or tinplate, per dozen	0	4
Scoops, boat, per dozen	0	2
Fish, per dozen	0	3
Malt, per dozen	0	4
Seed: Garden, or agricultural grass seeds, per cwt.	0	3
Senna, per cwt.	0	3
Shellac, per cwt.	0	3
Shumac, per cwt.	0	2
Sieves, per dozen	0	3
Silk, raw, per cwt.	1	0
Thrown, per cwt.	2	0
Waste, per cwt.	0	6
Manufactured, per foot package	0	2
Skins, dried or salted, loose or in packages, per cwt.	0	3
Slatestone, per ton	1	0
Slates, writing, per gross	0	6
Rags, per score	0	1
Scantle, per 1,000	0	10
Common helling, per 1,000	0	6
Smalts, per ton	2	0
Snuff, per cwt.	0	6
Soap, per cwt.	0	3
Soda, sal, per ton	1	6
Soda water, per dozen	0	2
Sofas, each	1	0
Solder and spelter, per cwt.	0	2
Spades and shovels, per dozen	0	6
Spars. *See* Timber.		
Spermaceti, per cwt.	0	4
Spetches or tanner's waste, per ton	2	0
Spirits, wine, and cider, per pipe or puncheon	2	0
Ditto, per hogshead	1	0
Ditto, per barrel or quarter cask	0	6
Ditto, per dozen quarts	0	2
Sponge, per cwt.	1	0
Ditto, per package, under quarter of cwt.	0	6
Stamp lifters, per dozen	0	6
Starch, per cwt.	0	2
Steel, per cwt.	0	2
Stones:		
Block, per ton	0	6
Flag or paving, per ton	1	0
Mill, grave, or burr, per ton	1	0
Grinding, per ton	1	6
Emery stone, per ton	2	0
Not enumerated, per ton	1	0
Straw, per ton	2	0

	s.	d.
Straw bonnets, in bales, cases, or casks, or otherwise, per foot	0	1
Plait ditto ditto per foot	0	2
Sugar, soft, per cwt.	0	2
Refined, in barrels or bags, per cwt.	0	3
Candy, per box	0	4
Refined, per hogshead	2	0
Sulphur, per cwt.	0	2
Talc, per cwt.	0	4
Tallow, per cwt.	0	2
Tapioca, per cwt.	0	3
Tarras, per cwt.	0	1
Tea, per chest	1	6
per half chest	1	0
per quarter chest	0	6
per box	0	3
Teazles, 30 feet and under, per package	0	8
Terra Japonica, Sienna and Verde, per ton	2	0
Tessera, per barrel	0	2
Thrashing machines, each	4	0
Thrumbs, per cwt.	0	4
Tiles, per 1,000	2	0
Tin and zinc, in blocks, ingots, or barrels, per ton	3	0
Plates, per box	0	2
Tincul, per ton	2	6
Tobacco, per cwt.	0	4
Tongues, per dozen	0	2
Tonquin beans, per cwt.	0	9
Tortoiseshell, per cwt.	1	0
Tow, per ton	2	0
Toys in boxes, per foot	0	1
Trees for saddles, per dozen	0	3
Trenchers, per gross	0	4
Trucks, each	0	6
Trundle sticks, per 1,000	0	6
Turmeric, per cwt.	0	3
Turnips, per ton	1	0
Turpentine, per cwt.	0	6
Turtle, each	2	6
Twine or netting, per cwt.	0	3
Types, per cwt.	0	6
Valonia, per ton	2	0
Varnish, per barrel	0	6
Vegetables, not enumerated, per cwt.	0	2
Venice turpentine, per cwt.	0	4
Verdigris, per cwt.	0	1
Vermillion, per cwt.	1	0
Vinegar, per hogshead	0	6
Ditto per firkin	0	3
Vitriol, per carboy	0	6
Walnuts, per bushel	0	1
Wax, sealing, per cwt.	0	6
Bees, per cwt.	0	3
Whale fins, per cwt.	0	4
Ditto, per 12 lbs.	0	2
Wheelbarrows, each	0	4
Wheels, small, per pair	0	4
Ditto, large, per pair	0	8
Whip sticks, per bundle	0	1

	s.	d.
Whiting, per cwt.	0	1
Wick yarn, pack, per cwt.	0	3
Winnowing machines, each	4	0
Wood, dyer's, &c., viz.: Bar, box, brazil, braziletto, cam, cocus, ebony, fustic, lignum vitæ, logwood, nicaragua wood, quassia, sandal, sandars, japan, and sassafras, per ton	2	0
Furniture, viz.: Cedar, mahogany, rose, satin, &c.	2	6
Deals, battens, ends, boards, per load of 50 cubic feet	1	0
Timber and planks, viz.: Fir, square, per load of 40 feet	1	0
Ditto ditto round, per load of 50 feet	1	0
Oak, teak, wainscot, and other hard wood, per load of 40 feet	1	6
Timber, not enumerated, per load of 50 feet	1	0
Staves, pipe, per 120	0	6
hogshead, per 120	0	4
American, per Quebec standard of 120, of 1½ foot long by 1½ inch thick	0	9
Ditto, Quebec, puncheon, St. John's ash, and oak hogshead, per 120	0	9
Spars, under 4 inches, per dozen	0	4
under 6 inches, per dozen	0	8
under 8 inches, per dozen	1	0
mast pieces, under 12 inches, each	0	3
Treenails or trunnels, per 1,200	2	0
Ufers, under 24 feet, per 100	1	0
above 24 feet, per 100	1	6
Wainscot boards, per 100	1	6
Handspikes, per 100	0	6
Lathwood, per fathom	1	0
Timber and wood lying in the dock beyond 14 days to be charged 2*d.* per load per week in addition to the rates before specified.		
Wool, packs of British, per cwt.	0	3
Spanish, and all other, per cwt.	0	6
Shoddy, pressed, packed, per ton	2	0
Worsted, yarn, per cwt.	0	2
Yams, per package	0	6
Zaffers, per cwt.	0	4

III.—Rates for the Use of Cranes Weighing Machines, and Sheds.

1*st. Rates of Craneage.*

	s.	d.
All goods or packages not exceeding one ton	0	3
Exceeding one ton, and not exceeding two tons	0	4
Exceeding two tons, and not exceeding three tons	0	6
Exceeding three tons, and not exceeding four tons	0	8
Exceeding four tons, and not exceeding five tons	0	10
Exceeding five tons, and not exceeding six tons	1	0
Exceeding six tons, and not exceeding seven tons	1	2
Exceeding seven tons, and not exceeding eight tons	1	4
Exceeding eight tons, and not exceeding nine tons	1	8
Exceeding nine tons, and not exceeding ten tons	2	0
Exceeding ten tons	3	0

2*nd. Weighing Machines.*

For goods weighed, 1*d.* for each ton, or part of a ton.

3rd. Shed Dues.

	s.	*d.*
For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwt. which shall remain in the sheds or other works of the Company, or on the quays of the dock harbour, for a longer time than 48 hours, the sum of *3d.*; and the sum of *1½d.* per ton for each day during which such goods shall remain after the first 48 hours.		
And for every portmanteau, trunk, parcel, or any other article of passengers' luggage, for each day or part of a day, per package -	*0*	*2*

IV.—Rates on Passengers and Promenaders.

For every passenger or other person who shall land from any steam or other vessel or boat in or upon the works of the Company, or any part thereof, or embark therefrom on board any steam or other vessel or boat - - - - - - -	*0*	*6*
For every person who shall use the pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time, any sum not exceeding -	*0*	*2*
For every bath or sedan chair taken on the pier, for each and every time any sum not exceeding - - - - -	*0*	*6*
For every perambulator - - - - -	*0*	*2*

V.—Rates on Passengers' Luggage.

For every trunk, portmanteau, box, parcel, or other package within the description of luggage, shipped or unshipped at or within the harbour or works of the Company, not exceeding 28 lbs. - -	*0*	*2*
Over 28 lbs., and not exceeding 84 lbs. - - - -	*0*	*4*
Over 84 lbs., and not exceeding 112 - - - -	*0*	*5*
Over 112 lbs., and not exceeding 140 lbs. - - - -	*0*	*6*
Over 140 lbs., and not exceeding 196 lbs. - - - -	*0*	*7*
Over 196 lbs., and not exceeding 2 cwt. - - - -	*0*	*8*
And for every cwt. beyond - - - - -	*0*	*4*
And for every 20 lbs. weight in addition - - - -	*0*	*1*

INSTOW.

Provisional Order of the Board of Trade for the Construction, Maintenance, and Regulation of Docks at Instow, in the County of Devon.

Whereas, under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the promoters of the North Devon Dock made application by a Memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, setting forth the necessity of a Dock at Instow, in the County of Devon, and praying their Lordships to approve of the project thus submitted, and to grant a Provisional Order for its execution, containing all such powers and privileges for the complete execution of the works, and for the levying of tolls, rates, and duties, not exceeding those in the Schedules to the advertise- Preamble.

ment published by them according to the requirements of the said Acts, and for the incorporation of a Company for the objects assigned:

And whereas the estimated expenditure on the proposed works is sixty thousand pounds and no more:

And whereas the promoters published the advertisements and deposited the documents which, by the last-mentioned Act, they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do, by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:—

North Devon Dock Company.

Incorporation of Company.

1. The following persons, namely, George Braginton, James Peard Ley, Thomas Burnard Chanter, and all other persons and corporations who have subscribed or may subscribe to the undertaking authorized by this Order, and their executors, administrators, successors, and assigns respectively, shall be and are hereby constituted into a Company for the purpose of making and maintaining the docks and works authorized by this Order, and for the other purposes of this Order; and for those purposes shall be and are hereby incorporated by the name of The North Devon Dock Company; and by that name shall be one body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold and dispose of lands and other property, for the purposes but subject to the restrictions of this Order.

Undertakers.

2. The North Devon Dock Company, herein-after called the Company, shall be the undertakers of the works authorized by this Order.

Incorporation of Companies Clauses Act.

3. The Companies Clauses Consolidation Act, 1845, shall be incorporated with this Order.

Capital.

4. The capital of the Company shall be the sum of sixty thousand pounds, in six thousand shares of ten pounds each. Of that sum forty thousand pounds shall be deemed the capital for the purposes of the wet dock authorized by this Order, and twenty thousand pounds shall be deemed the capital for the purposes of the other works authorized by this Order. But nothing in the present provision shall be taken to affect the dividends to be from time to time made by the Company.

Calls.

5. No call shall exceed two pounds ten shillings per share, or be made payable within three months of any previous call.

Borrowing, for wet dock.

6. For the purposes of the wet dock, the Company may, with the sanction of a General Meeting of the Company specially convened, borrow on mortgage or bond, at interest, from time to time, for periods not exceeding ten years, such sums of money, not exceeding in the whole the sum of twenty thousand pounds, as may from time to time be required; but no money shall be so borrowed

borrowed until the whole of the capital sum of forty thousand pounds is subscribed for or taken, and until one-half thereof is paid up, and until the Company proves to the Justice who is to certify under The Companies Clauses Consolidation Act, 1845, section 40, before he so certifies, that all such capital has been subscribed for bonâ fide, and is held by subscribers or their assigns legally liable for the same.

Borrowing, for other works.

7. For the purposes of the works other than the wet dock, the Company may, with the sanction of a General Meeting of the Company specially convened, borrow on mortgage or bond, at interest, from time to time, for periods not exceeding ten years, such sums of money, not exceeding in the whole the sum of ten thousand pounds, as may from time to time be required; but no money shall be so borrowed until the whole of the capital sum of twenty thousand pounds is subscribed for or taken, and until one-half thereof is paid up, and until the Company proves to the Justice who is to certify under The Companies Clauses Consolidation Act, 1845, section 40, before he so certifies, that all such capital has been subscribed for bonâ fide, and is held by subscribers or their assigns legally liable for the same.

Power to create preference shares.

8. The Company may, by the resolution of a General Meeting specially convened, such resolution being adopted by not less than three-fifths in value of the shareholders present in person or by proxy at the meeting, direct that the holders of any portion not exceeding one-third part of the shares then subscribed for or taken shall be entitled to dividend at a rate to be prescribed by such meeting, not exceeding five per centum per annum, in priority to the other holders of shares in the capital of the Company.

Receiver.

9. The mortgagees of the Company may enforce the payment of the arrears of interest, or the arrears of principal and interest, due on their respective mortgages, by the appointment of a receiver. The amount to authorize a requisition for a receiver shall be one thousand pounds.

No interest or dividend on calls.

10. The Company shall not, out of any money raised by calls or borrowing, pay interest or dividend to any shareholder on the amount called up in respect of shares held by him; but this provision shall not prevent the Company paying to any shareholder such interest on any money advanced by him beyond the amount of the calls actually made, as may be in conformity with the provisions of The Companies Clauses Consolidation Act, 1845.

Money not to be used for deposit under Standing Orders, &c.

11. The Company shall not, out of any money so raised, pay or deposit any money that may be required to be paid or deposited in relation to any application to Parliament or the Board of Trade.

Money to be applied to purposes of Order.

12. Every part of the money so raised shall be applied only for purposes authorized by this Order.

First General Meeting.

13. The first General Meeting of the Company shall be held within six calendar months after the passing of an Act of Parliament confirming this Order, at such time and place as the Directors determine.

Number of Directors.

14. The number of Directors shall not be more than nine or less than five.

Quorum of Directors.

15. The quorum of a meeting of Directors shall be three.

First Directors.

16. The three persons herein-before named may nominate the persons who shall, either conjointly with themselves, or any of them, or otherwise, be the first Directors of the Company; and the Directors so nominated shall continue in office till the first General Meeting of the Company.

Qualification.

17. The qualification of a Director elected by the shareholders, or nominated as aforesaid, shall be the holding in his own right of not less than twenty-five shares in the capital of the Company.

Remuneration.

18. The remuneration of the Directors shall from time to time be fixed by a General Meeting, and shall be divided among the Directors in such manner as they determine. Until any other remuneration is fixed in manner aforesaid, the remuneration of the Directors shall be after the rate of five hundred pounds per annum.

Lands.

Power to take specified lands by agreement.

19. For the purposes of the works authorized by this Order, the Company may, from time to time, by agreement, enter on, take, or use, all or any part of the land shown on the deposited plans as intended to be taken for the purposes of the proposed docks and works.

Incorporation of Lands Clauses Acts.

20. The Lands Clauses Consolidation Act, 1845, except with respect to the purchase and taking of land otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order,

Works.

Power to make works.

21. Subject to the provisions of this Order, the Company may on the lands taken by them under this Order, and in the lines, and according to the levels, and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description Docks.

22. The works authorized by this Order comprise the following:—

A wet dock and a dry dock, graving dock, wharves, piers, jetties and excavations, warehouses and buildings, suitable for the reception of ships and vessels, and the carrying on of trade and business to be induced thereby, and all other works incidental to the matters aforesaid.

Rates.

Power to take rates in Schedules.

23. The Company may demand and receive in respect of the vessels, goods, persons, and things in the Schedules hereto described, any sums not exceeding the rates in those Schedules specified.

Exemption of Custom House Officers from rates

24. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress into, through, and out of, the docks and works by land, and with their vessels and otherwise, without payment.

Application of rates.

25. The rates received under this Order shall be applicable for the purposes and in the order following, and not otherwise:

(1.) To the maintenance of the works authorized by this Order.

(2.) In payment of the interest accruing on any money borrowed under the authority of this Order, and in repayment of the principal of such money.

(3.) To the use and for the purposes of the Company.

General Provisions.

Steam engines, lighters, &c.

26. The Company may provide such steam engines, steam vessels, piling-engines, diving bells, ballast lighters, rubbish lighters, and other machinery and vessels, as they think necessary for carrying on the business of the Company, or for effectuating any of the purposes of this Order, and may demand and receive such sums for the use thereof as they think reasonable.

27. The

27. The Company shall have the appointment of meters and weighers within the docks and property of the Company. Meters and weighers.

28. The limits within which the lawful authority of the dockmaster for the regulation of the docks may be exercised, shall be the docks, works, and property of the Company, and a distance of one hundred yards in each direction therefrom respectively. Limits of dockmaster's authority.

29. The Company shall not purchase for extraordinary purposes lands exceeding in extent, in the whole, five acres. Lands for extraordinary purposes.

30. The Company shall be a Pilotage authority within the meaning of The Merchant Shipping Act, 1854, with all the powers conferred by that Act on Pilotage authorities. Pilotage.

31. Notwithstanding anything in The Harbours, Docks, and Piers Clauses Act, 1847 (for all the purposes of which Act this Order shall be deemed "the Special Act"), it shall not be necessary for the Company to provide any lifeboat, mortar, rockets, tide gauge, or barometer, except on a requisition in that behalf by the Board of Trade. Life boats, tide gauges, &c.

32. This Order may be cited as The North Devon Dock Order, 1863. Short Title.

Board of Trade, Whitehall.

Dated this 9th day of April 1863.

(Signed) T. H. Farrer,
Assistant Secretary.

SCHEDULE (A.)

Rates on Vessels.

Steam Vessels.

	s.	*d.*
For every steam vessel entering, and for every steam vessel leaving the dock, per ton	*0*	*8*

Sailing Vessels.

For every vessel entering the Dock with cargo from, and for every vessel leaving the Dock with cargo for, any port in the United Kingdom, Isle of Man, Jersey, Guernsey, Alderney and Sark, per ton	*0*	*4*
For every vessel entering the Dock with cargo from, and for every vessel leaving the Dock with cargo for, any port in Europe between the North Cape and Cape Finisterre, per ton	*0*	*6*
For every vessel entering the Dock with cargo from, and for every vessel leaving the Dock with cargo for, any other port in Europe and the Mediterranean, per ton	*0*	*8*
For every vessel entering the Dock with cargo from, and for every vessel leaving the Dock with cargo for, any other foreign port per ton	*0*	*9*
For every vessel entering the Dock light or in ballast, and for every vessel leaving the Dock light or in ballast, per ton	*0*	*4*
For every vessel entering the Dock laden and departing without breaking bulk, per ton	*0*	*6*

	s.	d.
For every vessel which shall remain in Dock, or lie alongside, or use any wharf, pier, breakwater, or landing place belonging to the Company, for any longer time than four weeks, provided such vessel shall not be prevented from leaving the same by an embargo or by stress of weather; for every week beyond the said period of four weeks the additional rate per ton of - - - - - -	0	2

SCHEDULE (B.)

Rates on Goods.

Ale, beer, porter, or cider, per butt - - - - -	0	4
„ „ per hogshead - - - -	0	2
„ „ per barrel - - - -	0	1
„ „ per 3 dozen hamper - -	0	2
„ „ per kilderkin - - -	0	1
Alum, per ton - - - - - -	0	8
Anchors, per cwt. - - - - - -	0	1
Ashes, per ton - - - - - -	0	8
Bacon or hams, per cwt. - - - - -	0	1
Bags (empty), per bundle - - - - -	0	1
Bales and chests (drapery), large - - - -	0	3
„ „ small - - - -	0	2
Baskets (empty), per dozen - - - - -	0	3
Beds, each - - - - - -	0	3
Bedsteads, each - - - - - -	0	2
Bellows, large, each - - - - -	0	3
„ small, per bundle - - - - -	0	1
Birds—Pigeons, per dozen - - - -	0	2
„ Quails, per dozen - - - - -	0	3
„ Partridges, each - - - - -	0	0½
„ Pheasants, each - - - - -	0	1
Biscuits, per bag - - - - - -	0	1
Books, per cwt. - - - - - -	0	1
Bottles (empty), per hamper - - - - -	0	1
Bran, per ton - - - - - -	0	8
Brass wire, per ton - - - - - -	1	0
Bricks or tiles, common, per 1,000 - - - - -	1	0
„ scouring, per 1,000 - - - -	1	6
„ fire, per 1,000 - - - - -	2	0
„ Bath, per 100 - - - - -	0	6
„ paving, and kiln tiles, per 100 - - -	0	6
Brimstone, per ton - - - - -	0	8
Brooms, per dozen - - - - - -	0	1
Butter, per firkin - - - - - -	0	1
Candles, per cwt. - - - - - -	0	1
Canvas, large bolt of, No. 1, 2, 3 - - - -	0	2
„ small bolt of - - - - - -	0	1
Carriages—4-wheels, each - - - - -	1	6
„ 2-wheels, each - - - - -	1	0
„ Railway, each - - - - -	5	0
„ Harrows or ploughs, each - - -	0	6
„ Thrashing machines, each - - -	2	6
„ Other machines, each - - -	0	6
Casks (empty), each - - - - - -	0	1
Cattle—Horses, each - - - - -	1	0
„ Oxen, cows, and bulls, each - - -	0	6

	s.	d.
Cattle—Ponies, mules, and asses, each	0	6
„ Calves, each	0	2
„ Lambs and sheep, each	0	1
„ Pigs, each	0	1
Cement, or plaster of Paris, per barrel	0	2
„ „ per half or quarter barrel	0	1
„ or Roman earth, per ton	0	3
Chairs, per dozen	0	4
Chalk, per ton	0	1
Cheese, per ton	0	8
Clay, per ton	0	1
Coal, culm, or stone coal, per ton	0	2
Coffee, per ton	1	0
„ per bag	0	1
Copper ore, per ton	0	8
Copper, or brass, or battery, per ton	1	0
Cordage, new, not in use, per cwt.	0	2
„ old, not in use, per cwt.	0	1
Corkwood, per ton	1	0
Corks, per bag	0	1
Corn—wheat, barley, oats, malt, rye, beans, peas, tares, and seeds of every denomination, per quarter	0	2
Cotton, per bale	1	0
„ per bag	0	3
Currants, per cwt.	0	1
Deals, per 120	1	0
Deal ends, per 120	0	4
Dogs, each	0	1
Drugs, hamper or box, each	0	2
Earthenware, large crate of	0	4
„ small crate of	0	2
Eggs, per chest	0	2
Engines, locomotives, each	20	0
Feathers, per cwt.	0	3
Figs, per cwt.	0	1
Fish, salted, per cwt.	0	1
„ fresh, per cwt.	0	1
Flour or meal, per ton	0	8
„ per sack	0	1
„ per barrel	0	1
Fruit—Apples or pears, per bushel	0	1
„ Plums or cherries, per bushel	0	1
„ Grapes, per cwt.	0	1
„ other fruit, per chest, bag, or basket	0	1
Furniture or goods, large package	0	6
„ middle package	0	4
„ small package	0	3
Glass or china, per hogshead	0	9
„ per tierce	0	4
„ per crate	0	3
„ Window glass, per side	0	2
Glue, per cwt.	0	1
Grass or Stoves, large, each	0	6
„ middle, each	0	4
„ small, each	0	2
Gravel, per ton	0	2
Grindstones, per foot diameter	0	1
Greaves, per ton	1	0

	s.	d.
Guano, per ton	0	9
Gunpowder, per barrel	0	2
Hardware, per hamper	0	2
Hair, per ton	1	0
„ large, per bag	0	2
„ small, per bag	0	1
Hampers (empty), per dozen	0	1
Hares, each	0	1
Hats, per box	0	2
Hay, per ton	0	8
Hemp, per ton	1	0
„ per bundle	0	1
Hides, per ton	0	10
Honey, per cwt.	0	1
Hoops, wooden, per bundle	0	1
„ iron, per cwt.	0	1
Hops, per bag	0	2
Indigo, per chest	1	0
„ per seron	0	4
Iron—Bar, bolt, pig, wrought, or iron wire, per ton	0	6
„ Cast guns, gun carriages, or shot, per ton	1	0
„ Broken, bushel, or ballast, per ton	0	6
„ Cinders, per ton	0	3
„ Ore, per ton	0	4
Ironmongery, per hogshead	0	6
„ per tierce	0	4
„ per barrel	0	2
„ per box or keg	0	1
Kelp, per ton	0	8
Lathwood, per fathom	0	6
Laths, per dozen bundles	0	1
Lead—Pig or sheet, or lead shot, per ton	1	0
„ White or red, per ton	1	0
„ Ore, per ton	0	6
Leather, per ton	1	8
Lime, per chaldron	0	6
Limestone, per ton	0	2
Loam, per ton	0	3
Logwood, per ton	1	6
Manure, per ton	0	1
Marble, per ton	0	8
Mast, yard, or bowsprit—6 in. and under 8 in., each	0	3
„ 8 in. and under 12 in., each	0	6
„ 12 in. and upwards	1	0
Mats, per 1,000	0	2
Meat, per cwt.	0	4
Molasses—juice or syrup, per ton	0	8
„ „ per hogshead	0	4
Music, large, per case	1	0
„ small, per case	0	6
Mustard, per keg	0	1
Nails—Copper or brass, per ton	1	8
„ Iron, per bag	0	1
Nuts, per bag	0	1
Oak, quarter, 100 feet in length	0	6
„ bark, per ton	1	0
„ knees, large, each	0	2
„ „ small, each	0	1
„ ash, elm, and fir plank, 100 feet superficial	0	6

	s.	d.
Oakum, per ton	0	8
Oil, per leager	0	9
„ per pipe	0	6
„ per hogshead	0	3
„ per barrel	0	2
„ per can	0	1
Oil cake, per ton	0	8
Oker, per cwt.	0	1
Oxbows, per dozen	0	1
Paint, common, per cwt.	0	1
Paper, per package	0	1
Parcels, large, each	0	2
„ small, each	0	1
Pepper, per bag	0	2
Pictures, under 2 feet square, each	0	3
„ 2 feet and under 4 feet, each	0	6
„ 4 feet and upwards, each	1	0
Pipe clay, per ton	0	3
Pitch, per barrel	0	1
Pitwood, sleepers, or poles, per ton	0	4
Plants or Trees, large, per bundle	0	3
„ small, per package	0	2
Pork or beef, per tierce	0	2
„ per barrel	0	2
„ per half barrel	0	1
Potatoes, per ton	0	8
Poultry—Geese, each	0	1
„ Turkeys, each	0	1
„ Dozen Fowls	0	2
„ Dozen Ducks	0	2
Rabbits, per score	0	2
Rags or Junk, per ton	0	8
Raisins, per cwt.	0	1
Rice, per ton	0	9
„ per bag	0	1
Rosin, per cwt.	0	1
Salt, per ton	0	6
Saltpetre, per ton	1	0
„ refined, per keg	0	1
Sand, per ton	0	2
Shoes and Boots, per hamper	0	2
Shumac, per bag	0	2
Slates, per ton	0	6
Soap, per chest	0	2
„ per box	0	1
Soda, per tierce	0	3
„ per cask	0	2
Spades and Shovels, per dozen	0	1
Starch, per chest	0	2
„ per box	0	1
Staves, per 100	0	3
Steel and Steel Ware, per ton	1	0
Stone—Bath or block, per ton	0	6
„ Paving, per ton	0	6
„ Millstones, large, each	0	4
„ „ small, each	0	1
„ other stone, per ton	0	2
Straw, per ton	0	8

	s.	d.
Sugar, per hogshead	0	6
„ per tierce	0	4
„ per barrel	0	1
„ per bag	0	1
Tallow, per hogshead	0	4
„ per cask	0	3
Tar and Turpentine, per barrel	0	1
Tea, per chest of 112 lbs.	0	3
„ per half chest	0	2
„ per quarter chest	0	1
Timber (Oak, Ash, Elm, Fir, or other timber), per ton	0	8
Tin Ore, per ton	1	0
„ Barrel or Block, each	0	2
Tin Plates, per ton	0	8
„ per box	0	1
Tobacco, per hogshead	0	8
„ per chest	0	2
„ per box under 56 lbs	0	1
Varnish, per cask	0	2
„ „ small	0	1
Vegetables, sack or hamper, each	0	1
Vinegar, per pipe	0	6
„ per hogshead	0	3
„ per barrel	0	2
Vitriol, per carboy	0	2
Whiting, per hogshead	6	6
„ per tierce	0	3
„ per barrel	0	2
„ per firkin	0	1
Wines or spirits, per pipe	1	0
„ per puncheon	0	9
„ per hogshead	0	6
„ per quarter pipe	0	4
„ casks, cases, or hampers, each	0	2
Wool, mill, puff, and yarn, per ton	1	0
„ per pack	0	2
Zinc, per cwt.	0	1

And so on in proportion for any greater or lesser quantities.

And for all other goods, wares, merchandize, and other things not enumerated above, a reasonable charge.

SCHEDULE (C.)

For every passenger who shall land from any steam or other vessel or boat in or upon the works of the Company or any part thereof, or embark therefrom on board any steam or other vessel or boat	0	2
For every trunk, portmanteau, box, parcel or other package, falling within the description of luggage that shall be shipped from or landed in or upon such works, not exceeding the weight of 28 lbs., each	0	2
If exceeding 28 lbs., and not exceeding 84 lbs., each	0	4
„ 84 lbs., „ 112 lbs., each	0	5
„ 112 lbs., „ 140 lbs., each	0	6
„ 140 lbs., „ 196 lbs., each	0	7
„ 196 lbs., „ 2 cwt., each	0	8
If amounting to or exceeding 2 cwt., for every 1 cwt.	0	4
And for every 20lbs. weight in addition	0	1
But if the same shall be placed on a barrow or truck, then for any quantity of luggage belonging to one person and contained in any one barrow or truck, and not exceeding the weight of 140 lbs.	1	0

BANGOR.

Provisional Order of the Board of Trade for the Improvement, Maintenance, and Regulation of the Harbour of Bangor, in the County of Down.

Whereas under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, Robert Edward Ward, of Bangor Castle, in the county of Down, Esquire, as owner of the Port of Bangor in the said county, made application by memorial to the Lords of the Committee of Her Majesty's Most Honorable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, praying the Board of Trade to make a Provisional Order under the said Acts, and thereby to empower the said Robert Edward Ward, as promoter, to execute the works herein-after mentioned at the Port and Harbour of Bangor aforesaid, and also to levy and recover harbour rates and duties according to the Schedule annexed to the said memorial, and also to borrow a sum not exceeding five thousand pounds on the security of the said rates for the construction of such new works as aforesaid: Preamble.

And whereas the estimated expenditure on the said works is Five thousand pounds and no more:

And whereas the promoter published the advertisements and deposited the documents which he was by the last-mentioned Act required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a bill to be introduced into Parliament for the purpose of obtaining an Act for confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do, by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:—

1. The said Robert Edward Ward and his successors, owners of the Harbour of Bangor for the time being, shall be the undertakers of the works authorized by this Order. Undertakers.

2. For the purposes of the works authorized by this Order the undertakers may from time to time, by agreement, enter on, take, or use, all or any part of the lands shown on the deposited plans, as intended to be taken for the purposes of the proposed works. Power to take specified lands.

3. The Lands Clauses Consolidation Act, 1845, except with respect to the purchase and taking of land otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order. Incorporation of Lands Clauses Acts.

Power to make works.

4. Subject to the provisions of this Order, the undertakers may, on the lands taken by them under this Order, and on the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of works.

5. The works authorized by this Order comprise the following :—

To widen the existing Pier on the north side and build an extension to it in a westerly direction, to be constructed of stone or wood at the option of the undertakers; also to repair the said Pier, and to repair and deepen the inside of the Harbour.

Power to take rates in Schedule.

6. From and after the completion of the proposed works (of which completion a certificate signed by the Chairman of the Quarter Sessions having jurisdiction at the Port of Bangor shall be conclusive evidence, which certificate such Chairman shall sign and give on being satisfied of such completion,) the undertakers may demand and receive in respect of the vessels, goods, and things described in the Schedule hereto, as well at the present Pier, wooden jetty, and other existing works, as also at the proposed works when completed, any sums not exceeding the rates in that Schedule specified; but nothing in this Order shall prevent the undertakers from taking at the existing works, before the completion of the proposed works, any rates which they would have been entitled to take there if this Order had not been made.

Exemption of Custom House Officers.

7. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress, on, into, along, through, and out of the Pier and Harbour by land, and with their vessels and otherwise without payment.

Borrowing power.

8. The undertakers may borrow on mortgage or bond at interest such sum or sums of money as may be required for the purposes of the works authorized by this Order, not exceeding in the whole the sum of five thousand pounds. They shall regularly keep down the interest accruing on the money so borrowed, and shall not allow such interest to accumulate, and shall repay the money borrowed within fifty years from the time of borrowing.

Application of receipts.

9. The rates received under this Order shall be applicable for the purposes and in the order following, and not otherwise :—

(1.) In paying the expenses of and connected with the applying for obtaining and making of this Order:

(2.) In paying the expenses of the maintenance, management, and regulation of the existing Harbour and works, and of the new works authorized by this Order:

(3.) In paying the interest on any money borrowed under this Order, and in or towards re-payment of the principal of such money:

(4.) And as to the surplus revenue of the Harbour, that is to say, so much of the rates as may remain after answering the three several purposes aforesaid, the same shall be applicable by the undertakers to and for their own proper use and benefit.

Exception of parts of Harbours Clauses Act.

10. The following provisions of The Harbours Docks and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections 16, 17, 18, 19, 25, 26, 49, and 50.

Meters and weighers.

11. The undertakers shall have the appointment of meters and weighers within the Harbour.

12. The

12. The undertakers may provide such steam engines, steam vessels, piling engines, diving bells, ballast lighters, rubbish lighters, and other machinery and vessels as they think necessary for effectuating any of the purposes of this Order, and may demand and receive such sums for the use of the same as they think reasonable. Provision of engines, lighters, &c.

13. The undertakers shall be a pilotage authority, and a local authority within the meaning of The Merchant Shipping Act, 1854, and Acts amending the same, with all the powers thereby conferred on pilotage authorities and on local authorities. Pilotage and lights, buoys, and beacons.

14. This Order may be cited as The Bangor Harbour Order, 1863. Short title.

Board of Trade, Whitehall.
Dated this 10th day of April 1863.

(Signed) T. H. Farrer,
Assistant Secretary.

SCHEDULE referred to in the foregoing Order.

I.—Rates on Vessels entering or using the existing Harbour, Landing Stage, or New Works.

	s.	d.
For every passenger steamer plying between Bangor and Belfast, or between Bangor and any place situate as near to Bangor as Belfast is, or nearer,—for each trip - - - per register ton	0	0½
For every other vessel - - - per register ton	0	2

All pleasure boats, boats entirely open, and fishing boats exempt.

II.—Rates on Goods shipped or unshipped, received or delivered, within or at the Existing Harbour, or Landing Stage, or at the New Works.

	s.	d.
Bricks - - - - - - - per ton	0	1½
Cattle—bulls, cows, oxen, and horses - - - - each	0	1
Cattle—calves, pigs, sheep, and lambs - - - per score	0	3
Clover seed - - - - - - per sack	0	1½
Coals - - - - - - - per ton	0	1½
Deals - - - - - - - per 120	1	0
Flour - - - - - - - per ton	0	3
Potatoes - - - - - - - per ton	0	3
Gunpowder - - - - - - per barrel	0	0½
Iron - - - - - - - - per ton	0	1½
Lead or other ores - - - - - - - per ton	0	3½
Meal - - - - - - - - per ton	0	1½
Salt rock - - - - - - - per ton	0	1
Slates - - - - - - - - per ton	0	1½
Stones (other than limestone) - - - - per ton	0	1½
Tiles - - - - - - - - per 1,000	0	4
Timber of all kinds, except deals - - per load of 50 feet	0	2

All other Goods not particularly enumerated above, except limestone.

		s.	d.
Light goods	per barrel bulk	0	1
Heavy goods	per ton	9	2

In charging the rates on goods, the gross weight or measurement of all goods to be taken; and for any less weights, measures, and quantities than those above specified, a proportion of the respective rate shall be charged.

Five cubic feet, not exceeding $2\frac{1}{2}$ cwt. to be rated as a barrel bulk; but when the weight of five cubic feet is greater than $2\frac{1}{2}$ cwt., then $2\frac{1}{2}$ cwt. to be rated as a barrel bulk.

III.—Rates for the Cranes, Weighing Machines, and Sheds provided at the existing Harbour, Landing Stage, or New Works.

First.—Rates of Craneage.

		s.	d.
All goods or packages not exceeding	1 ton	0	$1\frac{1}{2}$
Exceeding 1 ton and not exceeding	2 tons	0	2
Exceeding 2 tons and not exceeding	3 tons	0	3
Exceeding 3 tons and not exceeding	4 tons	0	4
Exceeding 4 tons and not exceeding	5 tons	0	5
Exceeding 5 tons and not exceeding	6 tons	0	6
Exceeding 6 tons		0	7

Second.—Weighing Machines.

For goods weighed 1*d.* for each ton or part of a ton.

Third.—Shed Dues.

For each ton of goods of 8 barrels bulk, or for each ton of goods of 20 cwt. which shall remain in the sheds or on the quays of the harbour for a longer time than 48 hours, the sum of *3d.*, and the sum of $1\frac{1}{2}d.$ per ton for each day during which such goods shall remain after the first 48 hours.

CHATHAM.

Provisional Order of the Board of Trade for the Purchase, Maintenance, and Regulation of the Chatham Sun Pier, at Chatham, in the County of Kent.

Preamble.

Whereas under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, application was made by or on behalf of the promoters of the undertaking herein-after mentioned by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council, appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, representing that the pier called the Chatham Sun Pier was then a private pier, over which there were no public rights, but that the use thereof by the public was permissive only upon payment of certain rates of charge, variable at discretion by the owner of such pier for the time being; that it would be of public advantage if such pier were vested in a duly constituted public body, and were made a public pier, subject to legal rates of charge, and to such restrictions and regulations as the situation

situation and mode of construction of such pier might render expedient; and that the same could be then purchased by or on behalf of the Local Board of Health for the district of Chatham Extra, in the county of Kent, on reasonable terms; and application was thereby made to the Board of Trade, among other things, to make a Provisional Order, and thereby to empower the Local Board of Health to purchase by voluntary contract, and to hold to them and their successors as a Corporation, and to maintain, the pier, with the entrance and right of approach, and other accommodations or interests in or in connexion with it; and also to empower the Local Board of Health and their successors to levy rates and to raise money by mortgage of the pier and rates, or otherwise, with such other provisions in connexion with or for the promotion of the objects of that application as the Board of Trade might deem expedient:

And whereas the estimated expenditure for the purposes by the said memorial proposed to be effected is Two thousand pounds and no more:

And whereas the promoters published the advertisements and deposited the documents which by the last-mentioned Act they were required to publish and deposit:

And whereas the Board of Trade after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:—

Incorporation of Local Board of Health for purposes of the Order.

1. The Local Board of Health for the district of Chatham Extra, in the county of Kent, and their successors in office, herein-after called The Local Board, shall be and are hereby incorporated for the purposes of this Order by the name of The Local Board of Health for the District of Chatham Extra, with perpetual succession and a common seal, with power to purchase, take, hold, and dispose of lands and other property for the purposes, but subject to the restrictions, of this Order.

The undertakers.

2. The Local Board shall be the undertakers of the works hereby authorized to be purchased by them.

General funds of Local Board not applicable for purposes of Order.

3. No rates or funds by law authorized to be levied by or otherwise vested in the Local Board, other than the money and rates which may be levied or received by them under or by the effect of this Order, shall be applicable for any purpose hereby authorized: but, subject to this restriction, and any other provisions of this Order, and any Acts incorporated herewith, the powers and functions hereby vested in the Local Board shall be exercised and carried into effect by them as part of their general powers and functions, and with and subject to the like privileges, indemnities, and regulations.

Power to purchase Pier.

4. For the purposes of this Order, the Local Board may purchase, by agreement, by or out of the funds hereby authorized to be raised by them, and shall afterwards maintain, the pier commonly called the Sun Pier, situate within the aforesaid

aforesaid district of Chatham Extra, and extending from a place in Chatham Extra known as the Roadway to the Town Quay, into the River Medway, with the entrance and right of approach to such pier, and any other accommodations or interests in or in connexion with such pier, and all fixtures, fittings, and things in, upon, or about the same.

Lands Clauses Acts incorporated.

5. The Lands Clauses Consolidation Act, 1845, except with respect to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order.

Lands for extraordinary purposes.

6. The Local Board shall not purchase for extraordinary purposes lands exceeding in the whole one acre.

Incorporation of parts of Commissioners Clauses Act, 1847.

7. The Commissioners Clauses Act, 1847, except the following sections thereof, namely sections 6 to 55, both inclusive, and section 84, shall be incorporated with this Order.

Borrowing.

8. The Local Board may borrow on mortgage, or on bond or debenture, at interest, on the security of the Pier and property to be purchased by them under this Order, or of the rates to be levied by them under this Order, or of both, any sums of money which may be required for the purposes authorized by this Order, not exceeding two thousand pounds.

Receiver.

9. The mortgagees of the Local Board may enforce the payment of the arrears of interest, or of the arrears of principal and interest, due on their respective mortgages, by the appointment of a receiver. The amount to authorize a requisition for a receiver shall be two hundred pounds.

Sinking Fund.

10. In order to create a sinking fund for the discharge of the principal money so borrowed, the Local Board shall yearly set apart the surplus revenue arising from the Pier, and shall from time to time cause the same to be invested in the purchase of Exchequer Bills or other Government securities, and to be increased by way of accumulation until the same shall be of sufficient amount to pay off the principal debt, or any part thereof, which the Local Board may think ought to be then paid, and then the same shall be applied in such payment.

Re-borrowing.

11. Any money borrowed under this Order, and discharged by means of the sinking fund, shall not be re-borrowed; but any money borrowed and discharged by any means other than the sinking fund may be re-borrowed, and so *toties quoties*.

Money to be applied to purposes of Order.

12. Every part of the money borrowed under this Order shall be applied only for the purposes authorized by this Order.

Power to take rates according to Schedule to this Order.

13. The Local Board may demand and receive, in respect of the persons, animals, fish, meat, poultry, game, goods, and things in the Schedule hereto described, any sums not exceeding the rates in that Schedule specified.

Exemptions from rates.

14. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress on, into, along, from, and out of the Pier by land, and with their vessels and otherwise, without payment; and all persons using the Pier while acting in the employment or service (whether naval, military, or civil) of Her Majesty, and for the purpose of such employment or service, and also all persons landing at the Pier from or requiring access by means thereof to any boat or vessel belonging to Her Majesty, and then lying within the prescribed limits, or using the Pier on business of Her Majesty for the purpose of access to or return from Her Majesty's Dockyard at Chatham, shall not in respect of such user be charged with any such rate as would be otherwise payable.

15. The

Company may contract with persons for the use of the Pier.

15. The Company may grant to passengers and promenaders or others pass-tickets for the use of the Pier, on such terms, and for such a period, not exceeding one year, as may be agreed upon; but so that no preference be given to any person. Such a pass-ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit pass-ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847.

Pass tickets not to be transferable.

Limitation of weight of goods and animals.

16. No article or goods which alone, or as a single package, or other aggregate, exceeds in weight four hundred and forty-eight pounds, and no animal which singly exceeds that weight, shall be shipped or unshipped at or otherwise brought upon the Pier, except under and subject to the terms of any special arrangement in that behalf with the Local Board.

Time at which liability to rates is to commence.

17. The Local Board shall, as soon as may be after purchasing the Pier, continue the old Hardway from its present termination up to the Town Quay, the construction of the new portion to correspond with that of the old. The Local Board shall not take any rates until they have so completed the continuation of the Hardway, of which completion a certificate under the hand of the Chairman of the Quarter Sessions for the county of Kent shall be conclusive evidence; and such Chairman shall sign such certificate on proof being adduced to him of such completion.

Certain clauses of Harbours, &c., Clauses not incorporated.

"Prescribed limits" defined.

18. The following sections of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order—namely, sections 16 to 19, both inclusive, and sections 25 and 26; and for all the purposes of this Order, the term "the Special Act" in that Act shall mean this Order, and the term "the prescribed limits" in that Act and this Order shall include the Pier and works hereby authorized to be purchased, and the space of seven yards in the River Medway, in front of the whole length of the landing stage at the head of the Pier.

Application of rates.

19. The Local Board shall apply all rates received under this Order for the purposes and in the order following, and not otherwise :—

(1.) In paying the costs of and connected with the preparation and making of this Order.

(2.) In paying the expenses of the maintenance, management, and regulation of the pier and works hereby authorized to be purchased, and all other outgoings in respect thereof.

(3.) In paying the interest on any money borrowed under this Order, and any sum payable on account of the principal thereof.

(4.) As to the surplus revenue arising from the Pier, that is to say, any surplus of such rates for the time being, remaining after the making of the payments herein-before directed,—in creating a sinking fund in manner in this Order specified.

Harbour authority.

20. The Local Board shall constitute the Harbour Authority for or in connexion with the Pier, within the prescribed limits.

Meters and weighers.

21. The Local Board shall have the appointment of meters and weighers on the Pier.

Part V. of 24 & 25 Vict. c. 47. to apply.

22. Part V. of The Harbours and Passing Tolls, &c., Act, 1861, shall apply to the Pier.

Saving for rights of Corporation of Rochester.

23. Nothing in this Order shall prejudice or derogate from such of the rights powers, liberties, jurisdictions, authorities, dues, franchises, and privileges, of the Mayor and Corporation of the City of Rochester, or their successors, as are not inconsistent with or contrary to the provisions of this Order.

Short Title.

24. This Order may be cited as The Chatham Sun Pier Order, 1863.

Board of Trade, Whitehall.
Dated this 10th day of April 1863.

(Signed) T. H. Farrer,
Assistant Secretary.

SCHEDULE.

I. Rates on Passengers Landing on or Embarking from the Pier.

	s.	*d.*
For every passenger or other person who shall land on the said pier from, or embark from it on board of, any ship, vessel, packet, passage or pleasure boat, for each and every time any sum not exceeding	*0*	*1*

II. Rates on Animals, Fish, Meat, Poultry, Game, and Goods Shipped or unshipped at the Pier.

1. *Animals.*

For every calf, sheep, goat, hog, or other animal of the weight of forty-eight pounds or upwards	*0*	*3*
For every lamb, kid, pig, or other animal under the weight of forty-eight pounds	*0*	*2*

2. *Fish.*

For every score of fresh cod, skait, or ling	*0*	*3*
For every separate quantity, or distinct package, barrel, or cask of dried or cured fish of any kind and of any weight,		
Not exceeding twenty-eight pounds	*0*	*1*
Exceeding twenty-eight pounds and not exceeding fifty-six pounds	*0*	*2*
Exceeding fifty-six pounds and not exceeding one hundred and twelve pounds	*0*	*3*
Exceeding one hundred and twelve pounds, and not exceeding two hundred and twenty-four pounds	*0*	*4*
Exceeding two hundred and twenty-four pounds, and not exceeding three hundred and thirty-six pounds	*0*	*5*
If exceeding three hundred and thirty-six pounds, then for every twenty-eight pounds, or part of twenty-eight pounds	*0*	*1*
For every score of haddock, codlings, mackerel, soles, lobsters, pound-crabs, or cray-fish	*0*	*1*
For every turbot, salmon, halibut, or sturgeon	*0*	*1*
For every score pounds of eels	0	*1*
For every bushel of oysters	*0*	*1*
For every kit of salmon	*0*	*2*
For every half-kit of salmon	*0*	*1*
For every half-bushel of fresh herrings or sprats, or of other fish not before specified	*0*	*0*½

	s.	d.
3. *Meat.*		
For every quarter of beef	0	3
For every carcase of mutton, veal, lamb, kid, or pork	0	2
For every quantity of meat cut up of any weight,		
Not exceeding twenty-eight pounds	0	1
Exceeding twenty-eight pounds and not exceeding fifty-six pounds	0	2
Exceeding fifty-six pounds and not exceeding one hundred and twelve pounds	0	3
Exceeding one hundred and twelve pounds and not exceeding two hundred and twenty-four pounds	0	4
Exceeding two hundred and twenty-four pounds and not exceeding three hundred and thirty-six pounds	0	5
If exceeding three hundred and thirty-six pounds, then for every twenty-eight pounds, or part of twenty-eight pounds	0	1
4. *Poultry and Game.*		
For every turkey, guinea-fowl, goose, pheasant, or hare	0	$0\frac{1}{2}$
For every pair of fowls, partridges, grouse, woodcocks, wild ducks, or rabbits	0	$0\frac{1}{2}$
For every half-dozen of pigeons or other birds not before specified	0	$1\frac{1}{2}$
5. *Goods.*		
For every pound weight of gunpowder	0	6
For every empty pipe, butt, puncheon, or other larger cask	0	3
For every empty smaller cask	0	2
For every separate article, basket, cask, package, or parcel of furniture, goods, wares, merchandize, matters or things whatsoever (not hereinbefore expressly named or provided for, and not being *bonâ fide* the personal luggage of and accompanying passengers landing on or embarking from the pier), of any weight,		
Not exceeding twenty-eight pounds	0	$0\frac{1}{2}$
Exceeding twenty-eight pounds and not exceeding fifty-six pounds	0	1
Exceeding fifty-six pounds and not exceeding one hundred and twelve pounds	0	2
Exceeding one hundred and twelve pounds and not exceeding two hundred and twenty-four pounds	0	3
Exceeding two hundred and twenty-four pounds and not exceeding three hundred and thirty-six pounds	0	4
If exceeding three hundred and thirty-six pounds, then for every twenty-eight pounds or part of twenty-eight pounds	0	1

BRAY.

Provisional Order of the Board of Trade for the Construction, Maintenance, and Regulation of a Pier and Harbour at Bray, in the County of Wicklow.

Whereas, under The General Pier and Harbour Act, 1861, and the General Pier and Harbour Act, 1861, Amendment Act, the promoters of the Bray Pier and Harbour made application by a memorial to the Lords of the Committee Preamble.

of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, setting forth that the construction of a Pier, or Piers, so as to form a Harbour at Bray, in the County of Wicklow, which could be used for the recreation of the inhabitants and visitors of that town, and for the embarking of passengers and other useful purposes, would be of great public and local advantage, and praying their Lordships to approve of the project thus submitted, and to grant a Provisional Order for its execution, containing powers and privileges for the complete execution of the works, and for the levying of rates and tolls, not exceeding those mentioned in the Schedule hereto annexed, and also for the incorporation of a Company:

And whereas the estimated expenditure on the proposed works is Twenty thousand pounds and no more:

And whereas the promoters published the advertisements and deposited the documents which, by the last-mentioned Act, they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:—

Bray Pier and Harbour Company.

Incorporation of Company.

1. The following persons, namely, The Honourable Francis Henry Needham, William Justin O'Driscoll, and Francis Reynolds, and all other persons and corporations who have subscribed or may subscribe to the undertaking by this Order authorized, and their executors, administrators, successors, and assigns respectively, shall be and are hereby united into a company for the purpose of making and maintaining the Pier and Harbour and Works by this Order authorized, and for the other purposes of this Order; and for those purposes shall be and are hereby incorporated by the name of The Bray Pier and Harbour Company; and by that name shall be one body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property, for the purposes, but subject to the restrictions, of this Order.

The undertakers.

2. The Bray Pier and Harbour Company, herein-after called the Company, shall be the undertakers of the works authorized by this Order.

Companies Clauses Act incorporated.

3. The Companies Clauses Consolidation Act, 1845, shall be incorporated with this Order.

Capital.

4. The capital of the Company shall be 20,000*l.* in 2,000 shares of 10*l* each.

5. No

5. No call shall exceed 2*l.* per share; successive calls shall not be made at a less interval than three months. Calls.

6. The Company may, from time to time, borrow on mortgage or bond, at interest, such sums of money as may be required for the purposes of the works authorized by this Order; but no money shall be borrowed until the whole of the capital of 20,000*l.* is subscribed for or taken, and until one half thereof is actually paid up, and until the Company proves to the Justice who is to certify under The Companies Clauses Consolidation Act, 1845, section 40, before he so certifies, that all such capital has been subscribed for bonâ fide, and is held by subscribers or their assigns, and that such subscribers or their assigns are legally liable for the same (of which proof having been given, the certificate of such Justice under that section shall be sufficient evidence). Borrowing from time to time.

7. The mortgagees of the Company may enforce the payment of the arrears of interest, or of the arrears of principal and interest, due on their respective mortgages, by the appointment of a receiver. The amount to authorize a requisition for a receiver shall be 500*l.* Receiver.

8. The Company shall not out of any money raised by calls or borrowing pay interest or dividend to any shareholder on the amount of calls made in respect of shares held by him; but this provision shall not prevent the Company paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the provisions of The Companies Clauses Consolidation Act, 1845. No interest or dividend on calls.

9. The Company shall not out of any money so raised pay or deposit any money that may be required to be paid or deposited in relation to any application to Parliament or the Board of Trade. Money not to be used for deposit under Standing Orders, &c.

10. Every part of the money so raised shall be applied only for purposes by this Order authorized. Money to be applied to purposes of Order.

11. The first general meeting of the Company shall be held within three months after the passing of an Act of Parliament confirming this Order. First general meeting.

12. The number of Directors shall be seven, with power to the Company to reduce the number, but not below five. Number of Directors.

13. The quorum of a meeting of Directors shall be three. Quorum of Directors.

14. The three persons herein-before named, and such four other persons as the said three persons, or any two of them, shall nominate, shall be the first Directors. First Directors.

15. The qualification of a Director elected by the shareholders, or nominated as aforesaid, shall be the possession in his own right of not less than twenty shares. Qualification of Directors.

Lands.

16. For the purposes of the works authorized by this Order, the Company may from time to time, by agreement, enter on, take, or use all or any part of the lands shown on the deposited plans as intended to be taken for the purposes of the proposed works. Power to take specified lands by agreement.

17. The Lands Clauses Consolidation Act, 1845, except with respect to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order. Lands Clauses Acts incorporated.

Land for extraordinary purposes.

18. The Company shall not purchase for extraordinary purposes lands exceeding in extent in the whole four acres.

Works.

Power to make works.

19. Subject to the provisions of this Order, the Company may, on the lands taken by them under this Order, and in the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of Pier and Harbour.

20. The works by this Order authorized comprise the following :—

A Pier, or Piers, Harbour, and Works, partly above and partly below low-water mark, at or near the place on the shore called and known as Bray's Point, which said Pier, or Piers, Harbour, and Works, will commence on the headland to the north of, and about 160 yards from, the bridge over the Dublin, Wicklow, and Wexford Railway, and will be extended towards the sea in a north-easterly direction, and will be wholly situate in the townland of Newcourt, or being extra-parochial, adjacent thereto, in the parish of Bray and county of Wicklow, together with all necessary and convenient quays, wharfs, jetties, landing places, works, and conveniences connected therewith respectively.

Rates.

Power to take rates according to Schedule to this Order.

21. The Company may demand and receive in respect of the vessels, goods, persons and things in the Schedule hereto described, any sums not exceeding the rates in that Schedule specified.

Custom House Officers exempt from rates.

22. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress, on, into, along, through, and out of the Piers and Harbour, by land, and with their vessels, and otherwise, without payment.

Power for Company to contract with persons for the use of the Pier.

23. The Company may grant to foot passengers pass or return tickets for the use of the Piers and Harbour, on such terms and for such period, not exceeding one year, as may be agreed on, but so that no preference be given to any particular person. Such a pass or return ticket shall not be transferable, and shall not be used by any person except the person for whom it was granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings.

Further exemption from rates.

24. Persons *bonâ fide* engaged in launching any vessel for the purpose of going to the assistance of a vessel in distress, or persons landing from a vessel in distress, or a single parcel carried by any passenger landing at or embarking from the Piers and Harbour, shall be exempt from the payment of rates under this Order.

General Provisions.

Meters and weighers.

25. The Company shall have the appointment of meters and weighers on and within the Piers and Harbour.

Steam engines, diving bells, lighters, &c.

26. The Company may provide such steam engines, steam vessels, piling engines, diving bells, ballast lighters, rubbish lighters, and other machinery and vessels, as they think necessary for effectuating any of the purposes of this Order,

Order, and may demand and receive such sums for the use of the same as they think reasonable.

27. The Company shall be a pilotage authority and a local authority within the meaning of The Merchant Shipping Act, 1854, with all the powers by that Act conferred on pilotage authorities and on local authorities. Pilotage, lights, buoys, and beacons.

28. Part V. of The Harbours and Passing Tolls, &c. Act, 1861, shall apply to the Piers and Harbour authorized by this Order. Part V. of 24 & 25 Vict. c. 47. to apply

29. Sections 16, 17, 18, and 19, of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order. Life boats, tide gauges, &c.

30. This Order may be cited as The Bray Pier and Harbour Order, 1863. Short Title.

Board of Trade, Whitehall.
Dated this 13th day of April, 1863.

(Signed) T. H. Farrer,
Assistant Secretary.

SCHEDULE.

I.—Rates on Vessels using the Pier, or entering or using the Harbour.

		s.	*d.*
For every vessel under the burden of 15 tons	per ton	*0*	*4*
For every vessel of the burden of 15 tons, and under 50 tons	per ton	*0*	*6*
For every vessel of the burden of 50 tons, and under 100 tons	per ton	*0*	*8*
For every vessel of the burden of 100 tons, and under 150 tons	per ton	*0*	*10*
For every vessel of the burden of 150 tons, and upwards	per ton	*1*	*0*
All lighters for any vessel in the roads shall be exempt from rates; but if the vessel do not use the Pier, or enter or use the Harbour or precincts thereof, every lighter shall pay for each trip	per ton	*0*	*2*
All boats entirely open, landing or taking on board goods or dried or salted fish	each	*0*	*6*
All drave or large boats using the Pier, or entering or using the Harbour or Precincts thereof with fresh fish	each	*0*	*4*
For every vessel remaining in the Harbour or precincts thereof, more than one calendar month, for every ton register measurement		*0*	*1*

And every fraction of a calendar month over and above one calendar month shall be considered as one calendar month.

II.—Rates on Goods shipped or unshipped at the Pier or Harbour.

		s.	*d.*
Ale	per hogshead	*0*	*6*
Ale (bottled)	per barrel bulk	*0*	*3*
Anchor	per cwt.	*0*	*9*
Anchor stock	per foot run	*0*	*2*
Bark	per ton	*1*	*0*
Bedding (seamen's)		*0*	*3*
Beef or pork	per ton	*1*	*4*
Beef or pork	per barrel	*0*	*2*
Blubber	per ton of 250 gallons	*1*	*0*

		s.	*d.*
Bone dust	per ton	0	8
Bones of cattle	per ton	0	6
Bottles	per gross	0	2
Bricks	per 1,000	0	8
Butter	per barrel	0	4
Casks (empty), not being returned packages	per puncheon	0	3
Other casks in proportion.			
Cattle:			
Bulls	each	0	3
Cows and oxen	each	0	2
Calves	each	0	0½
Horses	each	0	2
Pigs	each	0	0½
Sheep	per score	0	6
Lambs	per score	0	3
Chalk	per ton	0	8
Cheese	per cwt.	0	4
Chimney cans	per 100	1	4
Clay (fire, manufactured)	per ton	0	6
Clay (common)	per ton	0	2
Cloth, haberdashery, &c.	per barrel bulk	0	2
Coaches:			
Chaises and other four-wheeled carriages	each	0	8
Gigs, carts, and other two-wheeled carriages	each	0	6
Coals (Scotch, English, smithy, and culm)	per ton	0	4
Copper	per ton	1	4
Corks	per barrel bulk	0	2
Corn:			
Wheat and malt	per quarter	0	3
Barley, beans, peas, tares, oats, rye, buckwheat, and Indian corn	per quarter	0	2
Crystal	per barrel bulk	0	2
Dissolved bones and other artificial manures	per ton	0	8
Dogs (sporting only)	each	0	2
Drugs	per barrel bulk	0	3
Earthenware	per crate	0	8
Eggs	per barrel bulk	0	2
Fish (dried and salted)	per ton	1	4
Haddocks, cod, salmon, and all fresh fish not enumerated	per barrel bulk	0	2
Flax	per ton	1	4
Flour	per sack	0	2
Flour	per barrel	0	1½
Fruit	per bushel or sieve	0	2
Glass	per barrel bulk	0	3
Groceries, viz.:			
Almonds, figs, cinnamon, currants, pepper, pimento, plums, prunes, raisins, and the like	per barrel bulk	0	3
Guano	per ton	0	8
Gunpowder	per barrel	0	3
Hams, bacon, or tongues	per cwt.	0	3
Hardware	per barrel bulk	0	3
Hares and rabbits	per dozen	0	2
Any less quantity		0	1
Hay	per ton	0	8
Hemp	per ton	1	4
Herrings (fresh)	per cran	0	1
Herrings (cured)	per barrel	0	3

		s.	d.
Hides:			
Ox, cow, or horse (salted or dried)	per ton	1	4
Calf skins	per 120	0	10
Sheep skins	per 120	0	10
Lamb skins	per 120	0	5
Hoops of wood	per 1,500	1	0
Household furniture (new)	per barrel bulk	0	1
Household furniture (belonging to parties changing their residences only)	per 10 barrels bulk	0	6
Husbandry utensils	per ton	1	4
Husbandry utensils	per barrel bulk	0	2
Iron:			
Bar, bolt, and rod	per ton	1	4
Pig and old	per ton	0	8
Manufactured, cast, and wrought	per cwt.	0	2
Chain cables	per ton	1	4
Kelp	per ton	0	8
Lead (all kinds)	per ton	1	4
Leather (tanned and dressed)	per ton	1	4
Lime	per chaldron of 16 bolls	1	4
Limestone	per ton	0	3
Loam or moulding sand	per ton	0	3
Machinery	per ton	1	4
Machinery	per barrel bulk	0	3
Manure (street)	per ton	0	2
Masts and spars, 10 inches in diameter and upwards	each	4	6
Under 10 inches	each	3	0
Meal	per bag of 280 lbs.	0	2
Meat (fresh)	per ton	1	4
Meat (fresh)	per barrel	0	2
Milk	per 3 large pitchers	0	0½
Musical instruments	per barrel bulk	0	3
Oils	per ton	1	0
Ores:			
Copper, iron, lead, and other ores	per ton	0	8
Oysters	per bushel	0	3
Passengers' luggage, not exceeding 4 barrels bulk, free. All above 4 barrels bulk	per barrel bulk	0	3
Peats	per ton	0	3
Pitch	per barrel	0	3
Porter	per hogshead	0	4
Porter (bottled)	per barrel bulk	0	2
Potatoes	per ton	0	6
Poultry, including pigeons, game, &c.	per dozen	0	1
Any less quantity		0	0½
Rags (linen)	per ton	1	4
Other rags, old rope, and the like	per ton	0	10
Rape cakes	per ton	0	8
Salt	per ton	0	10
Seeds:			
Flax and rape	per hogshead	0	6
Flax	per barrel	0	3
Flax, in bulk	per quarter	0	2
Clover	per ton	1	4
Garden	per ton	1	4
Hemp and canary	per ton	1	4
Rye grass	per 8 bushel	0	2

		s.	d.
Shrimp baskets	each	0	2
Skin, seal	per 120	0	8
Slates, under size	per 1,000	0	6
Sizeable	per 1,000	0	10
Over size	per 1,000	1	4
Spirits (Foreign and British)	per hogshead of 56 gallons	0	8
Stones:			
Rubble	per ton of 16 cubic feet	0	2
Hewn ashlar freestone	per ton of 16 cubic feet	0	4
Rough ashlar freestone	per ton of 16 cubic feet	0	3
Pavement not exceeding 3 inches thick	per 70 feet	0	4
Pavement above 3 inches thick	per 16 cubic feet	0	4
Scythe stones	per score	0	1
Mill stones	each	0	8
Steel	per ton	1	4
Sugar	per ton	1	4
Tallow	per ton	1	4
Tar	per bushel	0	2
Tea	per chest	0	3
Tiles (roofing)	per 1,000	0	9
Tiles or piping for draining	per 1,000	0	8
Tin of all kinds	per ton	1	4
Tobacco	per ton	2	6
Treenails, under two feet in length	per 1,000	0	6
Treenails, exceeding two feet in length	per 1,000	1	0
Turnips	per ton	0	6
Turpentine	per hogshead	0	8
Vegetables	per cartload	0	2
Vinegar	per hogshead	0	6
Vitriol	per carboy	0	2
Whalebone	per ton	2	6
Wine	per hogshead	0	8
Wine (bottled)	per barrel bulk	0	4
Wood:			
Fir, pine, and other descriptions not enumerated	per load of 50 feet	0	10
Oak or wainscot	per load of 50 feet	1	0
Firewood	per fathom	0	6
Laths and lathwood	per fathom of 216 cubic feet	2	6
Handspokes	per 120	0	10
Oars	per 120	2	6
Spars, under 22 feet in length, above $2\frac{1}{2}$ and under 4 inches in diameter	per 120	2	6
Spars, $2\frac{1}{2}$ inches in diameter and under	per 120	1	4
Spars, 22 feet in length and upwards, and not exceeding 4 inches in diameter	per 120	6	6
Spars of all lengths, above 4 and under 6 inches in diameter	per 120	12	0
Spokes of wheels not exceeding two feet in length	per 120	0	4
Exceeding two feet in length	per 120	0	6
Wedges	per 1,000	1	0
Pipe staves, and others in proportion	per standard hundred	1	0
Lignum vitæ, fustic, logwood, mahogany, and rosewood	per ton	1	4
Wool	per cwt.	0	2
Yarn	per ton	1	4
Zinc	per ton	1	4

All other Goods not particularly enumerated in the above Table.

		s.	d.
Light Goods	per barrel bulk	0	2
Heavy Goods	per ton	1	4

In charging the rates on goods, the gross weight or measurement of all goods to be taken, and for any less weights, measures, and quantities than those above specified, a proportion of the respective rates shall be charged.

Five cubic feet, not exceeding 2½ cwt., to be rated as a barrel bulk; but when the weight of 5 cubic feet is greater than 2½ cwt., then 2½ cwt. to be rated as a barrel bulk.

III.—Rates for Use of Cranes, Weighing Machines, and Sheds.

1*st. Rates of Craneage.*

All goods or packages not exceeding 1 ton	0	3
Exceeding 1 ton and not exceeding 2 tons	0	4
Exceeding 2 tons and not exceeding 3 tons	0	6
Exceeding 3 tons and not exceeding 4 tons	0	8
Exceeding 4 tons and not exceeding 5 tons	0	10
Exceeding 5 tons and not exceeding 6 tons	1	0
Exceeding 6 tons and not exceeding 7 tons	1	2
Exceeding 7 tons and not exceeding 8 tons	1	4
Exceeding 8 tons and not exceeding 9 tons	1	8
Exceeding 9 tons and not exceeding 10 tons	2	0
Exceeding 10 tons	3	0

2*nd. Weighing Machines.*

For goods weighed, for each ton or part of a ton	0	1

3*rd. Shed Dues.*

For each ton of goods of 8 barrels bulk, or for which each ton of goods of 20 cwt., which shall remain in the sheds or works of the Pier, for a longer period than 48 hours, the sum of *3d.*; and the sum of *1½d.* per ton for each day during which such goods shall remain after the first 48 hours.

For any portmanteau, trunk, parcel, or other article of passengers' luggage, for each day or part of a day, per package	0	2

IV.—Rates on Passengers landing on or embarking from the Pier or Harbour.

For every passenger or other person who shall land from, or embark on board of, any ship, vessel, packet, or passage boat, not being boats or vessels used for pleasure only, for each and every time, any sum not exceeding	0	0	2
For every person who shall land from, or embark on board of, any boat or vessel used for pleasure only, for each and every time, any sum not exceeding	0	0	6
For every person who shall use the said Pier or Harbour for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time, any sum not exceeding	0	0	2
For every master of any vessel, boat or wherry, being an inhabitant of the town of Bray or parish of Bray, and using the said Pier, Harbour, or works, for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding	1	0	0

DARTMOUTH.

Provisional Order of the Board of Trade for the Improvement, Maintenance, and Regulation of the Harbour of Dartmouth, in the County of Devon.

Preamble.

Whereas under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the Promoters of the Harbour of Dartmouth made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council, appointed for the consideration of matters relating to Trade and and Foreign Plantations, herein-after called the Board of Trade, praying their Lordships to grant a Provisional Order under the said Acts, and thereby to constitute and incorporate certain persons to be Commissioners or other proper Harbour authority for the Harbour of Dartmouth, in the county of Devon, and to empower such Commissioners (among other things) to make and maintain certain piers, landing-places, light-houses, beacons, and other accommodation works connected therewith at Dartmouth, and to take land on lease or otherwise, by agreement, to an extent to be limited in such Order, and to levy and recover rates, tolls, and dues not exceeding the amounts specified in the Schedule of Rates hereto annexed, and to raise money for the purposes of such works, and thereby also to regulate the borrowing powers of such Commissioners, and therein to specify such terms and conditions to be observed by such Commissioners, for the formation, management, and maintenance of such works, and to grant such other powers, privileges, and authorities as to the Board of Trade might seem fit:

And whereas the estimated expenditure on the proposed works is Nineteen thousand pounds, and no more:

And whereas the Promoters published the advertisements and deposited the documents which by the last-mentioned Act they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:—

Incorporation of Commissioners.

1. There shall be a body of Commissioners for carrying this Order into execution; which Commissioners and their successors shall be and are hereby for the purposes of this Order incorporated by the name of The Dartmouth Harbour Commissioners, and by that name shall be one body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of, land and other property for the purposes, but subject to the restrictions

restrictions, of this Order. The term "the Commissioners" herein-after used means The Dartmouth Harbour Commissioners.

Appointment of the several Commissioners.

2. The appointment of the several Commissioners shall be regulated as follows:

(1.) The Board of Trade on, or at any time after, the passing of an Act confirming this Order, may, if they think fit, appoint three persons to be Commissioners, and whenever a vacancy is caused by death, resignation, or otherwise, in the office of any one of those three Commissioners, may, if they think fit, appoint another person to fill the vacancy, and so toties quoties:

(2.) The Mayor, Aldermen, and Burgesses of the Borough of Dartmouth, acting by the Town Council of the Borough, shall, as soon as may be after the passing of an Act confirming this Order, appoint two persons to be Commissioners, and whenever a vacancy is caused by death, resignation, or otherwise, in the office of either of those two Commissioners, shall appoint another person to fill the vacancy, and so toties quoties:

(3.) The Dartmouth and Torbay Railway Company shall, as soon as may be after the passing of an Act confirming this Order, appoint two persons to be Commissioners, and whenever a vacancy is caused by death, resignation, or otherwise, in the office of either of those two Commissioners, shall appoint another person to fill the vacancy, and so toties quoties:

(4.) The following three persons are hereby nominated and appointed to be Commissioners,—namely, Charles Seale Hayne, William Froude, and George Knight, and whenever a vacancy is caused by death, resignation, or otherwise, in the office of any one of those three Commissioners, the Commissioners shall, by a special order, appoint another person to fill the vacancy, subject to the approval of the Board of Trade, and so toties quoties:

(5.) The owners of property and other persons rated to the relief of the poor for the Parish of Kingswear, in the county of Devon, upon a rateable value of not less than twenty pounds a year, shall, from time to time, elect one person to be a Commissioner.

Incorporation of parts of 10 & 11 Vict. c. 16.

3. The Commissioners Clauses Act, 1847, shall be incorporated with this Order, and shall, as far as the nature and circumstances of the case will admit, apply to the Commissioners collectively and severally, subject to the following provisions:

(1.) No person shall be capable of acting as a Commissioner (other than a person appointed to be a Commissioner by the Board of Trade), unless he is seised or possessed of property to the value or amount of 3,000*l.*:

(2.) With reference to section thirty-nine of the last-mentioned Act, the prescribed number (constituting a quorum) of the Commissioners shall be five, if and as long as there is any Commissioner appointed by the Board of Trade,—and shall be three, if the Board of Trade does not exercise the power of appointing a Commissioner, or if and as long as the offices of all Commissioners appointed by the Board of Trade are vacant:

(3.) The Board of Trade shall appoint a permanent auditor of the accounts of the Commissioners:

(4.) The clauses of the last-mentioned Act with respect to the making of byelaws shall not be incorporated with this Order.

Undertakers.

4. The Commissioners shall be the Undertakers of the works authorized by this Order.

Limits of harbour.

5. The limits within which the Commissioners shall have authority (which shall be deemed the limits of this Order) shall extend from the ferry at Dittisham, in the county of Devon, across the River Dart to Greenway, in the parish of Churston Ferrers, in the same county, southward to the mouth of the harbour, to the point called the Outer Froward Point, at the eastern entrance of the harbour, in a straight line to the point called Coombe Point, at the western entrance of the harbour, as laid down on the Admiralty Chart of 1853.

Power to take lands by agreement.

6. For the purposes of the works authorized by this Order, the Commissioners may from time to time, by agreement, enter on, take, or use all or any part of the lands shown on the deposited plans as intended to be taken for the purposes of the proposed works, and also any other lands that may be necessary for carrying this Order into execution, so that such other lands do not exceed in the whole five acres, in addition to any lands (which shall not exceed in extent in the whole two acres) taken for extraordinary purposes.

Incorporation of Lands Clauses Acts.

7. The Lands Clauses Consolidation Act, 1845, except with respect to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order.

Power to make works.

8. Subject to the provisions of this Order, the Commissioners may, on the lands taken by them under this Order, and in the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans, or hereinafter described.

Description of works.

9. The works authorized by this Order comprise the following:

1. To make, construct, and maintain a roadway leading out of the present road from Kingswear to Brixham, along the southern side of Waterhead Creek, in the parish of Kingswear, in the county of Devon, at or near a point about fifty yards to the westward of the shipbuilding slip, and terminating near the Kingswear Ferry, at a point on the shore or bed of the River Dart, about forty yards to the westward of the Ferry Inn, called The Plume of Feathers, in the said parish of Kingswear:

2. To make, construct, and maintain a jetty, pier, or landing place about fifty yards in length, commencing either at the termination of the above-named roadway, or at the landing slip near the Ferry Inn aforesaid, extending in an northerly direction into or towards the waters of the River Dart, or the Harbour of Dartmouth, or the soil thereof:

3. To make, construct, and maintain a jetty, pier, pontoon, or landing stage in the foreshore, or mud, or bed, or bank of the River Dart, or the waters thereof, or of the Harbour of Dartmouth, commencing at the termination of the above-named jetty, and extending in a north-easterly direction for a distance of about one hundred and thirty yards:

4. To make, construct, and maintain a quay, pier, or viaduct, road or tramway commencing at the beginning of the first-named pier, or from the first-named roadway, and running across Waterhead Creek to the Dartmouth

Dartmouth and Torbay Railway at or near Hoodown Ferry House, and all sheds, warehouses, coal depôts, or other buildings and things necessary for the proper working and user of all or any of the foregoing works:

5. Also to dredge, scour, cleanse, or remove any bank or banks of sand or mud adjoining any of the works herein-before specified.

Rates in Schedule (A).

10. The Commissioners may demand and receive in respect of the vessels, goods, persons, animals, and things described in the Schedule (A) hereto annexed, any sums not exceeding the rates in that Schedule specified.

Power to borrow for works.

11. The Commissioners may, from time to time, borrow at interest such money as may be required for the purposes of the works herein-before specified, not exceeding in the whole the sum of twenty-five thousand pounds, on the security of the same works, and the lands and property connected therewith, and the rates specified in Schedule (A), or of any of those particulars.

Application of rates and money.

12. The Commissioners shall apply all money received by them in respect of the rates specified in Schedule (A), and all other money coming to their hands from the works herein-before specified, or the lands or property connected therewith, for the purposes and in the order following, and not otherwise:

(1.) In paying three-fourths of the costs of and connected with the preparation and making of this Order:

(2.) In paying the expenses of the maintenance, management, and regulation of the works herein-before specified, and of the lands and property connected therewith:

(3.) In paying the interest on any money borrowed under the power herein-before contained, and any sum payable on account of the principal thereof:

And the Commissioners shall from time to time revise the rates received under Schedule (A), so that the produce of the rates under that Schedule may always be, as far as is practicable, sufficient and not more than sufficient for the payments before in the present clause directed.

Power to make, transfer, or lease.

13 The Commissioners may at any time by deed under their common seal transfer or lease to the Dartmouth and Torbay Railway Company, their lessees or assigns, if and when the Company, their lessees or assigns, are lawfully empowered to take a transfer or lease under the present provision, all or any part of the works herein-before specified, and the right to receive all or any part of the rates specified in Schedule (A) hereto, and all or any other of the rights or powers by virtue of this Order vested in the Commissioners in relation to the works herein-before specified, or any of them; but so that any such deed of transfer or lease shall not have any effect unless it is made with the approval of the Board of Trade, testified in writing signed by a Secretary or Assistant Secretary of the Board.

Further works.

14. The works authorized by this Order also comprise the following:

6. To erect and maintain a new lighthouse or beacon to be placed on the Kingswear shore near the mouth of the River Dart about midway between a house called Brook Hill, in the parish of Brixham aforesaid, and a house called The Beacon, in the parish of Kingswear aforesaid;

7. To improve and maintain, or to alter or abolish the present lighthouse near the castle in the parish of Townstall, both in the county of Devon, at the western entrance of the Harbour of Dartmouth;

8. To blast or otherwise clear away a certain rock at the entrance of the Harbour, called The Pin Rock, and any other rocks at the entrance of the Harbour or in the Harbour itself, that may be found to interfere in any way with the navigation of the Harbour;

9. To erect, fix, lay down, and maintain any other beacons, lights, buoys, warping posts, moorings, or other works necessary for the accommodation and guidance of ships or vessels into or from the Harbour, or for the navigation thereof, and to alter or abolish the same from time to time as may be necessary;

10. Also to dredge, scour, cleanse, or remove any bank or banks of sand or mud either at the entrance of the Harbour or in the Harbour that may in anywise affect the navigation thereof, or the landing or embarking of passengers, or the shipping or unshipping of goods, wares, or merchandise, to or from vessels using the Harbour.

Rates in Schedule (B).

15. In respect of the vessels described in the Schedule (B) hereto annexed, the Commissioners may demand and receive such sums, not exceeding the rates in that Schedule specified, as may from time to time be approved of by the Board of Trade.

Power to borrow for further works.

16. The Commissioners may from time to time borrow at interest such money as may be required for the purposes of the works lastly herein-before specified, not exceeding in the whole the sum of five thousand pounds, on the security of the same works, and the lands and property connected therewith, and the rates specified in Schedule (B), or of any of those particulars.

Application of rates and moneys received by the Commissioners.

17. The Commissioners shall apply all money received by them in respect of the rates specified in Schedule (B), and all other money coming to their hands from the works lastly herein-before specified, or the lands or property connected therewith, for the purposes and in the order following, and not otherwise:

(1.) In paying one-fourth of the costs of and connected with the preparation and making of this Order:

(2.) In paying the expenses of the maintenance, management, and regulation of the works lastly herein-before specified, and of the lands and property connected therewith:

(3.) In paying the interest on any money borrowed under the power lastly herein-before contained, and any sum payable on account of the principal thereof:

And the Commissioners shall from time to time revise the rates received under Schedule (B), so that the produce of the rates under that Schedule may always be, as far as is practicable, sufficient and not more than sufficient for the payments before in the present clause directed.

Provision for separate accounts of the two funds.

18. The Commissioners shall keep separate accounts of the money received by them in respect of the rates specified in Schedules (A) and (B) respectively, and of any money borrowed by them under the two several borrowing powers herein-before contained, and of the respective application of the money so respectively received and borrowed; and the money respectively received under the said two several Schedules, and respectively borrowed under the said two several borrowing powers, shall be deemed for all the purposes of this Order to constitute distinct funds.

Receiver.

19. The mortgagees of the Commissioners may enforce the payment of the arrears of interest, or of the arrears of principal and interest, due to them on their

their respective mortgages, by the appointment of a receiver; the amount to authorize a requisition for a receiver shall be five hundred pounds.

Money to be applied for purposes of Order.

20. Every part of the money borrowed under this Order shall be applied only for purposes authorized by this Order.

Confirmation of byelaws and provision for management of harbour.

21. Any byelaws made under this Order and The Harbours, Docks, and Piers Clauses Act, 1847, shall not come into operation until allowed and confirmed by the Board of Trade, which allowance and confirmation shall be sufficient for all purposes; and it shall not be lawful for the Harbour Master, by virtue of section 52 of that Act, or of any other authority, or for the Commissioners, to give or cause to be given any direction respecting any matter mentioned in that section, or provided for in the byelaws, further or otherwise than as he or they may be expressly authorized by the byelaws to do so.

Exception of parts of Harbours Clauses Act.

22. The following provisions of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections, 16, 17, 18, and 19.

Meters and weighers.

23. The Commissioners shall have the appointment of meters and weighers at their works.

Power to establish steam tugs, &c.

24. The Commissioners may provide such steam engines, steam vessels, tugs, piling engines, diving-bells, ballast lighters, rubbish lighters, moorings, dredging machines, and other machinery, vessels, and things as they think necessary for effectuating any of the purposes of this Order, and may demand and receive such sums for the use of the same as they think reasonable.

Application of Part V. of 24 & 25 Vict. c. 47.

25. Part V. of The Harbour and Passing Tolls, &c. Act, 1861, shall apply to the Harbour of Dartmouth, as altered under this Order.

Short Title.

26. This Order may be cited as The Dartmouth Harbour Order, 1863.

Board of Trade, Whitehall.
Dated this 13th day of April 1863.

(Signed) T. H. Farrer,
Assistant Secretary.

The SCHEDULES referred to in the foregoing Order.

SCHEDULE (A).

I.—Rates on Goods shipped or unshipped at any part of the works authorized by the foregoing Order, and numbered respectively 1, 2, 3, 4, 5.

			s.	*d.*
Acid water, acid vegetable, or mineral,		per pipe	*1*	*0*
Ditto	ditto	per hogshead	*0*	*6*
Ditto	ditto	per firkin	*0*	*3*
Ditto	ditto	per jar	*0*	*2*
Ditto	ditto	per cwt.	*0*	*3*
Acorns, per ton of forty bushels			*1*	*0*
Alabaster, rough, per ton			*1*	*0*
Ditto, worked, per cwt.			*1*	*0*

	s.	d.
Ale, beer, or porter, per butt or pipe	1	0
Ditto per hogshead	0	6
Ditto per barrel	0	3
Ditto per kilderkin	0	1½
Ditto in bottles, per dozen	0	1
Ale, bottled, per barrel bulk	0	3
Alkanet root, per cwt.	0	4
Almonds, per cwt.	0	3
Aloes, per cwt.	0	4
Alum, per cwt.	0	2
Amber, per cwt.	0	4
Ambergris, per cwt.	1	0
Anchors, cwt.	0	2
Anchovies, per barrel	0	2
Angelica, per cwt.	0	3
Animals, stuffed, each	0	6
Annatto, per cwt.	0	4
Anniseeds, per cwt.	0	3
Antimony, per cwt.	0	3
Anvils, per cwt.	0	1
Apples, in bulk, per ton	0	6
Arrow root and powder, per cwt.	0	3
Arsenic, per cwt.	1	0
Ashes, barilla, per cwt.	0	1
Pearl and pot, per cwt.	0	2
Black, per cwt.	0	1
Bleaching, per cwt.	0	2
Common Irish, per cwt.	0	1
Soda, per cwt.	0	1
Asphaltum, per cwt.	0	1
Bacon or pork, per cwt.	0	2
Bagging, per cwt.	0	4
Ballast, per ton registered measurement of vessel	0	1
Bark, tanner's, chopped, per ton	0	6
Ditto, rinds, not ground, per ton	0	6
Angustina, per cwt.	0	4
Birch and larch, per ton	0	6
Quercitron, per ton	2	0
Sassafras, per cwt.	0	4
Winteranus, per cwt.	0	4
Baskets, per dozen	0	1
Basket rods, per 1000	0	3
Bass rope, per cwt.	0	2
Bedposts, mahogany, per set	0	6
Others, per set	0	4
Beef or pork, per tierce	0	6
Ditto, per barrel	0	4
Ditto, per half barrel and smaller package	0	2
Ditto, per ton	1	4
Beer, spruce, per barrel of 32 gallons	0	8
Bell metal, per cwt.	0	2
Bellows, smiths', each	0	6
Bellows, common, per dozen	0	6
Berries, Bay, per cwt.	0	1
Juniper, per cwt.	0	1
Yellow, per cwt.	0	1
Biscuit or bread, per cwt.	0	2
Blacking, per cwt.	0	2

	s.	*d.*
Blackjack, per ton	*0*	*4*
Blocks, heel, per gross	*0*	*2*
Last, per dozen	*0*	*1*
Ship, per dozen	*0*	*1*
Blubber, per cwt.	*0*	*1*
Blue, per cwt.	*0*	*2*
Bobbins, per cask	*1*	*0*
Bones, per ton	*0*	*6*
Bone dust, per quarter	*0*	*2*
Books, per cwt.	*0*	*4*
Borax, per cwt.	*0*	*2*
Bottles, loose, empty, per gross	*0*	*2*
In baskets or carboys, full	*0*	*6*
Bowls of wood, per dozen	*0*	*2*
Boxes, iron, for wheels, per cwt.	*0*	*1*
Bran, per ton	*1*	*0*
Brandy, per hogshead	*1*	*6*
Brass, new, per cwt.	*0*	*2*
Old, per cwt.	*0*	*1*
Bricks, common, per 1000	*1*	*0*
Fire, per 1000	*2*	*0*
Scouring, per 1000	*1*	*6*
Slabjacks, per dozen	*0*	*1½*
Brimstone, per cwt.	*0*	*1*
Bristles, per 12 lbs.	*0*	*1*
Brooms, birch, per gross	*0*	*2*
Brooms and brush handles, per gross	*0*	*6*
Brush heads and stocks, per 100	*0*	*1*
Brushes, hair, rushes, and whalebone, per dozen	*0*	*2*
Bugles and beads, per cwt.	*0*	*3*
Bullion, per package	*1*	*0*
Bullrushes, per bundle	*0*	*1*
Butter, per cask	*0*	*3*
Ditto, per firkin	*0*	*1½*
Ditto, per pot	*0*	*1*
Ditto, per barrel	*0*	*4*
Cables, per cwt.	*0*	*2*
Cakes, linseed or rape, per cwt.	*0*	*1*
Calamine, per cwt.	*0*	*1*
Calaminaris, lapis, per cwt.	*0*	*1*
Calves velves, per cwt.	*0*	*3*
Camphor, per cwt.	*0*	*6*
Candles, tallow, chest of 14 dozen	*0*	*6*
Ditto, half chest	*0*	*3*
Ditto, wax, per 12 lbs.	*0*	*1*
Canella alba, per cwt.	*0*	*4*
Canes, per bundle	*0*	*6*
Cantharides, per cwt.	*1*	*0*
Canvas, per bolt	*0*	*1*
Caoutchouc, per cwt.	*0*	*4*
Capers, per cwt.	*0*	*6*
Capillaire, per 100 gallons	*1*	*0*
Carboys, empty, each	*0*	*2*
Cards, wool, per dozen	*0*	*1*
Carriages or coaches, each	*10*	*6*
For guns, each	*1*	*6*
Gigs, each	*5*	*0*
Carts, each	*2*	*6*
Hand, each	*1*	*0*

	s.	d.
Casks, empty, not returned, each	0	2
Cattle :—		
Asses and mules, each	1	0
Bulls, each	2	6
Cows and oxen, each	1	6
Calves and lambs, each	0	6
Horses, each	2	0
Pigs or sheep, each	0	4
Sucking pigs, each	0	3
Cassia buds, per cwt.	0	6
Fistula, per cwt.	0	4
Caviare, per cwt.	1	0
Cement, per cwt.	0	1
Chairs, not mahogany, per dozen	1	6
Mahogany, per dozen	2	6
Chains, per cwt.	0	2
Chalk, per ton	0	2
Charcoal, per pack	0	1
Cheese, per cwt.	0	6
Chemicals, per barrel bulk	2	0
Chesnuts, per bushel	0	1
Chimney pots, earthenware, each	0	1
China, per hogshead	1	6
Ditto, per tierce	1	0
Chirt stones, per ton	0	6
Chocolate, per cwt.	0	3
Cider or perry, in bottles, per dozen	0	1
Ditto, per hogshead	0	6
Cinnabar, per cwt.	0	9
Cinnamon, per cwt.	1	0
Clay, pipe and potter's, per ton	0	2
China, per ton	0	3
Clocks, per dozen	2	0
Wood, per dozen	1	0
Clog soles, per gross	0	6
Cloth, packs not exceeding 1 cwt.	0	4
Cloths, linen, woollen, bale, pack, or truss, per cwt.	0	4
Cloths, linen, woollen, or cotton, in boxes, per foot	0	1
Cloves, per cwt.	1	0
Coals (besides bushelage), per ton	0	2
Coke, per ton	0	4
Cobalt, per ton	1	0
Ore, per ton	0	4
Cocoa, per cwt.	0	3
Cocoa nuts, per 100	0	2
Coculus indicus, per cwt.	0	4
Coffee, per cwt.	0	3
Colouring for potter, per barrel of 36 gallons	0	6
Columbo root, per 100.	0	4
Copper, per cwt.	0	1
Ore, per ton	0	4
Furnaces, per twenty gallons	0	2
Copperas, barrel or bag, per cwt.	2	0
Coral, per cwt.	2	0
Cordage, per. cwt.	0	2
Cordials, per case of 1 dozen	0	1
Ditto, per hogshead	1	0
Cork, per cwt.	0	3
Corks, per ten gross	0	2

	s.	*d.*
Corn, viz.:—		
Wheat, per quarter	0	2
Barley, per quarter	0	1
Oats, per quarter	0	1
Bere and bigg, per quarter	0	2
Barley meal, per bag	0	2
Indian Corn, per quarter	0	1
Ditto Meal, per bag	0	1
Oatmeal, per bag	0	1
Beans and peas, per quarter	0	2
Rye, per quarter	0	1
Cotton, raw, per cwt.	0	3
Ditto, manufactured, per cwt.	0	6
Cradles, each	0	2
Cranberries, per 5 gallons	0	1
Cream of tartar, per cwt.	0	4
Crease, earthenware, per dozen	0	$0\frac{1}{2}$
Crystal, per box or package	0	6
Ditto, per barrel bulk	0	2
Cubebs, per cwt.	0	6
Culm, per ton	0	3
Currants, per butt	1	6
Dates, per cwt.	0	3
Dissolved bones and other artificial manures, per ton	0	8
Dogs, and other animals not enumerated, each	0	6
Down, eider, per cwt.	1	6
Drugs, in casks, hampers, or boxes, at per foot	0	1
Ditto, per barrel bulk	0	3
Dyer's stuff, per cwt.	0	4
Dyes, per cwt.	1	0
Dye wood, per ton	1	4
Earth, black, per ton	1	0
Brown, per ton	1	0
Earth, Fullers', per ton	1	0
Red, per ton	1	0
Yellow, per ton	1	0
Earthenware, coarse, in bulk, per potter's dozen	0	3
In crates, at per foot	0	$0\frac{1}{4}$
Eggs, per gross of 12 dozen	0	1
Emery, per cwt.	0	2
Stones, per cwt.	0	1
Empty bags and sacks (not returned), per cwt.	0	2
Epsom salts, per cwt.	0	2
Essence of lemons and limes, per 100 pounds	2	0
Essential oils, per cwt.	0	9
Euphorbium, per cwt.	0	4
Feathers, per cwt.	0	6
Felt, per cwt.	0	1
Figs, per cwt.	0	2
Filtering stones, each	0	1
Fish, fresh, per cwt.	0	1
Pilchards, cured, per hogshead	0	3
Herrings, cured, per barrel	0	4
Other cured fish (not before specified), per cwt.	0	1
Flag stones, rough, per 100 feet	1	2
Ditto, worked, per 100 feet	2	0
Flax (rough), per ton	1	8
Ditto, per dozen hanks	0	1

	s.	d.
Flock, per bag	0	3
Floor cloth, per cwt.	0	4
Flour, per sack	0	2
Ditto, per barrel	0	1½
Flower roots, plants, or trees, in packages, at per foot	0	1
Free stones, per ton	1	2
Fruit, green, per cwt.	0	1
Ditto, dry, per cwt.	0	2
Fuel, patent, per ton	0	4
Furniture, household, cases, at per cubic foot	0	1
Galbanum, per cwt.	0	4
Gallangal, per cwt.	0	4
Galls, per cwt.	0	4
Gates, iron or wood, each	0	2
Gentian root, per cwt.	0	4
Ginger, per cwt.	0	3
Gingerbread, per box	0	4
Ginseng, per cwt.	0	4
Glass, per crib, slide, or case	0	6
Glauber salts, per cwt.	0	2
Gloves, per dozen pair	0	1
Glue, per cwt.	0	1
Granite, per ton	0	2
Grapes, per barrel or per jar	0	2
Ditto, per half barrel or box	0	1
Grates or stoves, per foot	0	2
Gravel or sand, per ton	0	2
Grease or greaves, per cwt.	0	1
Groats, per cwt.	0	2
Guano, per ton	1	0
Gums, per cwt.	0	4
Gunpowder, per 100 pounds	0	3
Gypsum, per ton	0	2
Haberdashery and hosiery, in bales, per cwt.	0	4
Ditto, in boxes, per foot	0	1
Hair, per cwt.	0	3
Hams, per cwt.	0	2
Hanks, for sails, per dozen	0	0½
Hardware, per cwt.	0	2
Hares and rabbits, per dozen	0	2
Any less quantity	0	1
Harrows, each	0	4
Hats, per box, per foot	0	1
Hay rakes, per dozen	0	2
Hay, per ton	1	6
Hemp, per ton	1	8
Herrings, fresh, per cran	0	1
Ditto, cured, per barrel	0	3
Hide roundings, or glue pieces, per cwt.	0	2½
Hides, wet or dry, for every 100 in number	3	6
Ditto, fleshings, per cwt.	0	2½
Honey, per gallon	0	1
Hoofs, per cwt.	0	1
Hoops, for mast, or white hoops, per dozen	0	1
Ditto, per load	1	0
Hops, per bag	1	0
Ditto, per pocket	0	6
Ditto, per end	0	3

	s.	*d.*
Horns, per 100	*0*	*4*
Household furniture, new, per barrel bulk	*0*	*1*
Ditto, belonging to parties changing their residence only, per 10 barrels bulk	*0*	*6*
Hurdles, per dozen	*0*	*2*
Husbandry utensils, per ton	*1*	*4*
Ditto, per barrel bulk	*0*	*2*
Ice, per ton	*0*	*6*
Indigo, per cwt.	*1*	*6*
Iron, pig, per ton	*0*	*6*
Cast, per ton	*0*	*8*
Bar, bolt, and wrought, per ton	*1*	*0*
Hoops, per cwt.	*0*	*1*
Horse shoes, per cwt.	*0*	*1*
Ploughshares, per cwt.	*0*	*1*
Stamp heads, per ton	*1*	*0*
Furnaces, at per 20 gallons	*0*	*1*
(Cast) hollow ware, per cwt.	*0*	*3*
Ore, per ton	*0*	*4*
Wire and nail rods, per cwt.	*0*	*1*
Irons, baker's and pudding pans, per cwt.	*0*	*1*
Patten, per grass	*0*	*6*
Isinglass, per cwt.	*0*	*6*
Ivory, per cwt.	*1*	*0*
Black, per cwt.	*0*	*1*
Jack screws, per pair	*0*	*6*
or fishing lines, per dozen	*0*	*1*
Junk or old rope, per cwt.	*0*	*1*
Lac, gum, stick, seed, and shell, per cwt.	*0*	*4*
Ladles, per gross	*0*	*6*
Lamp black, per cwt.	*0*	*4*
Lanthorns, horn or glass, per dozen	*0*	*1*
Lard, per cwt.	*0*	*2*
Lead ore, per ton	*0*	*4*
Pigs of, per ton	*1*	*0*
Sheet, per cwt.	*0*	*1*
Leather, tanned, per cwt.	*0*	*2*
Wrought, per cwt.	*0*	*3*
Lemons, per chest	*0*	*4*
Ditto, per box	*0*	*2*
Lemon, lime, and orange juice, per hogshead	*1*	*0*
Lime, burnt, per ton	*0*	*6*
Limestone, per ton	*0*	*2*
Linen or woollen rags, per cwt.	*0*	*1*
Cloth, per cwt.	*0*	*4*
Lint cloth, not in bales, per piece	*0*	*3*
Liquor, in bottles, per case or box	*0*	*6*
Loam or moulding sand, per ton	*0*	*3*
Logwood, logwood chips, per cwt.	*0*	*3*
Maccaroni, per cwt.	*0*	*4*
Mace, per cwt.	*1*	*0*
Machinery, steam and other iron engines, and part of the same, per cwt.	*0*	*1*
Foundation plates, bobs and pumps for engines, per cwt.	*0*	*1*
Wood and iron mixed, per foot	*0*	*1*
Madder and madder roots, per cwt.	*0*	*4*
Malt, per quarter	*0*	*2*
Manganese, per ton	*0*	*4*

	s.	d.
Manure, not enumerated, per ton	0	2
Marble, rough, per ton	1	0
Ditto, worked, per cwt.	1	0
Masts or spars, each	0	6
Mats and matting, per dozen	0	1
Maunds or hampers, empty imported, per dozen	0	1
Meal, per bag of 280 lbs.	0	2
Meat, per cwt.	0	2
Melting pots, per dozen	0	1
Milk, per gallon	0	0½
Millboards, per 120 boards	0	6
Millinery, per foot	0	1
Mineral and aerated waters, in bottles, per dozen	0	1
Mops and brushes, per dozen	0	3
Mother-of-pearl shell, per cwt.	0	4
Mundic, per ton	0	2
Munjeet, per cwt.	0	4
Muriate of lime, potash, and soda, each, per cwt.	0	1
Musical instruments, per foot	0	1
Muskets, per dozen	0	6
Mustard, per firkin of 72 lbs.	0	3
Ditto per firkin of 36 lbs.	0	2
Nails, per cwt.	0	1
Natron, per ton	1	8
Nests of trunks, per foot	0	1
Nutmegs, per cwt.	1	0
Nuts, per Winchester bushel	0	1
Nux vomica, per cwt.	0	4
Oakum, per cwt.	0	1
Oars, per dozen	0	3
Ochre, per cwt.	0	1
Oil, large cans for lighthouses, containing 30 gallons, and so in proportion	1	0
Castor, per cwt.	0	4
Sperm, per hogshead	1	0
Pilchard, per ton	1	0
Sweet and lamp, and all oils not enumerated, per hogshead	0	10
In flasks, per chest	0	4
Ditto per half chest	0	2
Oil cake, per ton	1	0
Olives, per barrel	0	2
Ditto, per jar	0	1
Onions, per cwt.	0	1
Oranges, per box	0	2
Oranges, per chest	0	4
Orange and lemon peel, and buds, per cwt.	0	3
Orchilla weed, per cwt.	0	4
Ores :—		
Copper, lead, and other ores per ton	0	8
Ox bows, per dozen	0	2
Oysters, per ton	1	8
Paintings, pictures, and pier glasses, per foot	0	3
Paints and painter's colours, per cwt.	0	2
Pans, warming, per dozen	0	3
Brass, per cwt.	0	6
Paper, stationer's, per cwt.	0	4
Common, per cwt.	0	1½
Pattens, wood, per gross	0	6

	s.	*d.*
Peats, per ton	*0*	*3*
Pepper, per cwt.	*0*	*3*
Petroleum, per ton	*5*	*0*
Pewter, per cwt.	*0*	*2*
Phials, in packages, per foot	*0*	*1*
Pick hilts, per gross	*1*	*0*
Pickles, per 12 bottles	*0*	*1*
Pimento, per bag of 100 lbs.	*0*	*3*
Pins, per cwt.	*0*	*4*
Pipes for smoking, per hogshead	*1*	*0*
Ditto per barrel	*0*	*6*
Earthenware, for draining, per ton	*1*	*0*
Plaister of Paris, per cwt.	*0*	*1*
Ploughs, each	*0*	*6*
Plums, per cwt.	*0*	*3*
Potash, per cwt.	*0*	*1*
Potatoes, per ton	*1*	*0*
Poultry, including pigeons, game, &c., per dozen	*0*	*1*
Any less quantity	*0*	*0½*
Powder, hair, or cosmetic, per cwt.	*1*	*0*
Preserves, per cwt.	*0*	*4*
Prunes, per cwt.	*0*	*2*
Pumice stones, per ton	*0*	*1*
Puncheons, empty, and pipes not returned, each	*0*	*2*
Quern stones, each	*0*	*6*
Quicksilver, per case or package	*0*	*6*
Quills, stationer's, per 1,000	*0*	*2*
Miner's, per cwt.	*0*	*9*
Rags, linen, per ton	*1*	*4*
Other rags, old ropes and the like, per ton	*0*	*10*
Raisins and figs, per cwt.	*0*	*2*
Rape seed, per quarter	*0*	*4*
Rice, per tierce of 4 cwt.	*0*	*8*
Rope coil, per cwt.	*0*	*2*
Rope yarn, per cwt.	*0*	*1*
Rum, per puncheon	*2*	*0*
Sago, per cwt.	*0*	*2*
Sails, per cwt.	*0*	*4*
Sal gem rock salt, per ton	*0*	*6*
Salt, per ton	*0*	*10*
Fine, per ton	*0*	*4*
Coarse, for manure or curing fish, per ton	*0*	*3*
Saltpetre, per cwt,	*0*	*2*
Sand or gravel, per ton	*0*	*2*
Scoops, boat, per dozen	*0*	*1*
Fish, per dozen	*0*	*2*
Malt, per dozen	*0*	*3*
Scuttles, coal, copper, or tin plate, per dozen	*0*	*3*
Scythe stones, per 100	*0*	*3*
Scythes, per dozen	*0*	*2*
Seed, garden, or agricultural grass seeds, per cwt.	*0*	*3*
Segars, per cwt.	*0*	*6*
Shakes, not returned, per hogshead, and so in proportion	*0*	*2*
Shot, bird, per cwt.	*0*	*3*
Shovel handles, per dozen	*0*	*1*
Shumac, per cwt.	*0*	*2*
Sieves, per dozen	*0*	*3*

	s.	*d.*
Silk, raw, per cwt.	*1*	*0*
Thrown, per cwt.	*2*	*0*
Waste, per cwt.	*0*	*6*
Manufactured, per foot on package	*0*	*2*
Skins: Badger, bear, beaver, deer, elk, ermine, fisher, fox, leopard, lion, martin, otter, panther, seal, tiger, per score	*1*	*0*
Horse, per score	*0*	*3*
Calf, per score	*0*	*3*
Sheep and kid, per dozen	*0*	*3*
Cat, chinchilli, mink, raccoon, seal (hair), per score	*0*	*6*
Goat, fitch, musk-quash, neutria, swan, per score	*0*	*3*
Coney, hare, mole, per score	*0*	*1*
Slabs, marble, per ton	*1*	*0*
Slates, writing, per gross	*0*	*3*
Rags, per dozen	*0*	*0½*
Scantle, per 1,000	*0*	*3*
Common helling, per 1,000	*0*	*2*
Slate, earth, or tombstones, per foot	*0*	*0¼*
Snuff, per cwt.	*0*	*4*
Soap, per cwt.	*0*	*2*
Soda, sal, per ton	*1*	*0*
Soda water, per dozen	*0*	*2*
Solder and spelter, per cwt.	*0*	*1½*
Spades, garden, per dozen	*0*	*4*
Spermaceti, per cwt.	*0*	*8*
Spirits, foreign and British, per hogshead of 56 gallons	*0*	*2*
Spokes for wheels, per dozen	*0*	*2*
Naves for wheels, per dozen	*0*	*0½*
Sponge, per cwt.	*1*	*6*
Ditto, per package under quarter of a cwt.	*0*	*6*
Stamp lifters, per dozen	*0*	*2*
Starch, per cwt.	*0*	*2*
Steel, per cwt.	*0*	*6*
Stone, Caen, for millstones, per 100	*3*	*6*
Stones, grinding, per cwt.	*0*	*1*
Ditto, not enumerated, per ton	*1*	*0*
Straw, per ton	*0*	*6*
Straw Bonnets in bales, cases or casks, or otherwise, per foot	*0*	*1*
Plait, in bales, cases or casks, or otherwise, per foot	*0*	*2*
Succades and sweetmeats, per cwt.	*0*	*4*
Sugar, soft, per cwt.	*0*	*1*
Refined, in barrels or bags, per cwt.	*0*	*2*
Candy, per box	*0*	*2*
Refined, per hogshead	*1*	*4*
Sulphur, per cwt.	*0*	*3*
Talc, per cwt.	*0*	*4*
Tallow, per cwt.	*0*	*2*
Tanners' poles, per cwt.	*0*	*6*
Tapioca, per cwt.	*0*	*3*
Tar, pitch, or rosin, per barrel	*0*	*2*
Tarras, per cwt.	*0*	*1*
Tea, per chest	*1*	*6*
Terra japonica, per ton	*2*	*0*
Tessera, per barrel	*0*	*2*
Threshing machines, each	*5*	*0*
Thrumbs, per cwt.	*0*	*4*
Tiles, pan, per score	*0*	*1*
Paving, per score	*0*	*1*
Malt kilns, per score	*0*	*1*

	s.	*d.*
Timber not enumerated, per load of 50 feet	0	6
Timber :		
Staves, pipe, per 120	0	6
Hogshead, per 120	0	2
Split or sawn staves, per 1,000	1	0
Mast pieces, under 12 inches, each	0	3
Ufers, under 24 feet, per 100	1	0
above 24 feet, per 100	1	6
Wainscot boards, per 100	1	0
Tin, in blocks, ingots, or barrels, per ton	1	0
Ore, per ton	0	8
Plate, per box	0	2
Tobacco, per cwt.	0	3
Tongues, per dozen	0	1
Tortoiseshell, per cwt.	1	0
Tow, per ton	1	8
Toys, in boxes, per foot	0	1
Trawl beams, each	0	4
Treacle or molasses, per puncheon	0	10
Ditto, per half puncheon	0	5
Ditto, per small cask	0	3
Trees for saddles, per dozen	0	3
Treenails or Trunnels under 2 feet in length, per 1,000	0	6
Ditto, exceeding two feet in length, per 1,000	1	0
Trenchers, per gross	0	2
Trucks, each	0	3
Trundle sticks, per 1,000	0	3
Turnips or mangold, per ton	1	0
Turpentine, per cwt.	0	6
Twine or netting, per cwt.	0	3
Types, per cwt.	0	6
Valonia, per ton	1	0
Varnish, per barrel	0	6
Venice turpentine, per cwt.	0	4
Vegetables, shipped, per cwt.	0	1
Verdigris, per cwt.	0	1
Vermicelli, per cwt.	0	6
Vinegar, per pipe	2	0
Ditto, per hogshead	1	0
Ditto, per firkin	0	6
Vitriol, per carboy	0	6
Waste :		
Brazier's, button maker's, furrier's, soaper's, tanner's, vitriol, sugar baker's, per cwt.	0	1
Wax, per cwt.	0	2
Whalebone, fins, per cwt.	0	4
Ditto, per 12 lbs.	0	2
Wheelbarrows, each	0	4
Whetstones, per gross	0	2
Whipsticks, per bundle	0	1
Whiskey, per puncheon	2	0
Whiting, per cwt.	0	1
Wick yarn, pack, per cwt.	0	3
Wine, foreign, per pipe, all sorts	2	6
Wine, British, per pipe, all sorts	1	6
Or strong waters, per hogshead	1	0
Ditto per barrel	0	6
British, per hogshead	0	9
Ditto, per firkin	0	3
And liquors, in bottles, per dozen	0	2

	s.	d.
Winnowing machines, each	2	6
Wood:		
Fir, pine, and other descriptions not enumerated, per load of 50 feet	0	10
Oak or wainscoat, per load of 50 feet	1	0
Firewood, per fathom	0	6
Laths and lathwood, per fathom of 216 cubic feet	2	6
Handspokes, per 120	0	10
Spars under 22 feet in length, above $2\frac{1}{4}$ and under 4 inches diameter, per 120	2	6
Spars, $2\frac{1}{2}$ inches in diameter and under, per 120	1	4
Spars, 22 feet in length and upwards, and not exceeding 4 inches in diameter per 120	6	6
Spars of all lengths above 4 and under 6 inches in diameter, per 120	12	0
Wedges, per 1,000	1	0
Lignum vitæ, fustic, logwood, mahogany, rosewood, and furniture wood, per ton	1	4
Woollen manufactures, at per cwt.	0	8
Wool, packs of British, per cwt.	0	3
Spanish, and all other, per cwt.	0	6
Yarn, worsted, per cwt.	0	2
Yams, per package	0	2
Zaffres, per cwt.	0	4
Zedoary, per cwt.	0	4
Zinc, per ton	1	4

All other Goods not particularly enumerated above.

Light goods, per barrel bulk	0	2
Heavy goods, per ton	1	4

In charging the rates on goods, the gross weight or measurement of all goods to be taken; and for any less weights, measures, and quantities than those above specified a proportion of the respective rates shall be charged.

Five cubic feet, not exceeding $2\frac{1}{2}$ cwt., to be rated as a barrel bulk; but when the weight of five cubic feet is greater than $2\frac{1}{2}$ cwt. then $2\frac{1}{2}$ cwt. to be rated as a barrel bulk.

Luggage.

For any portmanteau, trunk, parcel, or other article of passengers' luggage, per package	0	2

II.—Rates for the use of Cranes, Weighing Machines, Sheds, and Works.

1*st. Rates of Craneage.*

	s.	d.
All goods or packages not exceeding one ton	0	3
Exceeding one ton, and not exceeding two tons	0	4
Exceeding two tons, and not exceeding three tons	0	6
Exceeding three tons, and not exceeding four tons	0	8
Exceeding four tons, and not exceeding five tons	0	10
Exceeding five tons, and not exceeding six tons	1	0
Exceeding six tons, and not exceeding seven tons	1	2
Exceeding seven tons, and not exceeding eight tons	1	4
Exceeding eight tons, and not exceeding nine tons	1	8
Exceeding nine tons, and not exceeding ten tons	2	0
Exceeding ten tons	3	0

2nd. Weighing Machines.

For goods weighed, *1d.* for each ton, or part of a ton.

3rd. Shed Dues.

For each ton of goods of eight barrels bulk, or for each ton of goods of 20 cwt. which shall remain in the sheds or on the quays of the Harbour, for a longer time than forty-eight hours, the sum of *3d.*; and the sum of *1½d.* per ton for each day during which such goods shall remain after the first forty-eight hours.

Luggage.

		s.	*d.*
For any portmanteau, trunk, parcel, or other article of passengers' luggage, for each day or part of a day - - -	per package	*0*	*2*

Rates on Vessels using or lying alongside any part of the Works hereby authorized, and specified in Clause 9. of this Order.

For every vessel under the burden of 15 tons - -	per ton	*0*	*4*
For every vessel of the burden of 15 tons and under 50 tons	per ton	*0*	*6*
For every vessel of the burden of 50 tons and under 100 tons	per ton	*0*	*8*
For every vessel of the burden of 100 tons and under 150 tons - - - - - - - -	per ton	*0*	*10*
For every vessel of the burden of 150 tons and upwards -	per ton	*1*	*0*
All lighters for any vessel in the roads shall be exempt from rates; but if the vessel do not use the pier, every lighter shall pay for each trip - - - - - - -	per ton	*0*	*2*
All boats entirely open, landing or taking on board goods or dried or salted fish - - - - - -	each	*0*	*6*
All drave or large boats using the pier with fresh fish -	each	*0*	*4*

III.—Rates on Passengers Landing on or Embarking from any Part of the Works authorized by the foregoing Order, and numbered respectively 1, 2, 3, 4, 5.

	s.	*d.*
For every passenger or other person who shall land on any part of the said works from, or embark therefrom on board of any ship, vessel, packet or passage-boat, not being boats or vessels used for pleasure only, for each and every time, any sum not exceeding - - -	*0*	*2*
For every person who shall land on any part of the said works from, or embark therefrom on board of any boat or vessel used for pleasure only, for each and every time, any sum not exceeding - - -	*0*	*6*
For every person who shall use any part of the said works for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time, any sum not exceeding - - - - - - - -	*0*	*2*

IV.—Rates for Tramway.

For carriages, trucks, engines, animals, goods, passengers and luggage, passing or carried along tramway specified in No. 4.	The like rates as authorized to be taken for the use of the Dartmouth and Torbay Railway.

SCHEDULE (B).

RATES ON VESSELS USING OR ENTERING THE HARBOUR, TO BE LEVIED AS SOON AS THE WORKS IN THE FOREGOING ORDER NUMBERED RESPECTIVELY 6 AND 7 ARE COMPLETED.

	s.	*d.*
For every vessel - - - - maximum rate per register ton	*0*	*3*
And if the same shall remain in the harbour more than two months continuously, then for every month or part of a month during which the same shall remain in the harbour after the first two months, the further sum per register ton of - - - - - -	*0*	*0½*

Exemptions.

(1.) Yachts, pleasure boats, and boats entirely open:
(2.) Vessels using the harbour solely as a Harbour of Refuge, and remaining therein not more than 60 hours continuously.

NAIRN.

Provisional Order of the Board of Trade for the Maintenance and Regulation of the Harbour of Nairn.

Preamble.

Whereas the Provost, Magistrates, and Town Council of the Royal Burgh of Nairn, in Scotland, as representing the community of the said burgh, hereinafter called The Nairn Harbour Board, are the proprietors of the Harbour of Nairn, by virtue of various Royal Charters, Infeftments, and Acts of Parliament, and have levied anchorages and customs, tolls, rates, and dues on vessels and goods, which are at present defined and regulated by and according to a schedule thereof drawn up and settled in the year one thousand eight hundred and forty-six:

And whereas the Nairn Harbour Board have expended large sums of money in maintaining and improving the said Harbour, and with that view have from time to time raised considerable sums of money by the sale of lands belonging to the burgh, and also upon mortgages of the said Harbour rates, customs, and dues, and of lands belonging to the burgh, which mortgages are still outstanding:

And whereas the Harbour rates, customs, and dues, as defined by the said schedule, are insufficient for the payment of the interest on the said mortgages, and for the maintenance and repair of the said Harbour:

And whereas the revenue arising therefrom has been reduced by reason of an exemption constituted by usage now claimed and enjoyed by the burgesse of the said burgh from payment of half harbour or shore dues on vessels and goods at the said Harbour: and also of an exemption from payment of dues at a certain Breakwater at the said Harbour, in respect of vessels, boats, and craft employed in the white and herring fisheries, or in carrying materials for the same, or for curing, and of the white fish, herrings, and materials carried by them, constituted by bond dated the fifteenth day of June, one thousand eight hundred

hundred and forty-six, granted by the Nairn Harbour Board to the Honourable the Commissioners for the British White Herring Fishery:

And whereas, under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the Nairn Harbour Board made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called The Board of Trade, praying for (among other things) a Provisional Order under the said Acts for power to levy and recover rates according to the Schedule in the memorial referred to, and for the extinction of the said exemptions:

And whereas the Nairn Harbour Board published the advertisements and deposited the documents which, by the last-mentioned Act, they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:—

Power to levy rates according to Schedule.

1. Notwithstanding any law, custom, or usage, right, privilege, or exemption heretofore to the contrary existing in favour of the burgesses of Nairn, or others, the Nairn Harbour Board may demand and receive, in respect of the vessels, goods, persons, animals, and things described in the Schedule hereunto annexed, any sums not exceeding the rates in that Schedule specified.

Custom House officers exempt from rates.

2. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress, on, into, along, through, and out of the Pier and Harbour of Nairn, and works connected therewith belonging to and vested in the Nairn Harbour Board, by land, and with their vessels and otherwise, without payment.

Extinction of exemptions from payment of rates.

3. All exemptions from payment of harbour, shore, tonnage, or other dues or rates, in respect of vessels, boats, or other craft resorting to or using the said Pier and Harbour of Nairn, or the breakwater thereat, or any of the works or accommodations connected therewith, or in respect of any fish, fishing, or curing materials, or other cargo therein, whether arising or constituted by law, custom, or usage, or otherwise howsoever, and particularly the exemption constituted by the said bond dated the fifteenth day of June one thousand eight hundred and forty-six, granted by the Nairn Harbour Board to the Honourable the Commissioners for the British White Herring Fishery, shall, from and after the passing of an Act confirming this Order, be extinguished, and cease to exist.

Application of rates.

4. The rates received under this Order shall be applicable for the purposes and in the order following, and not otherwise:

1. In paying the costs of and connected with the preparation and making of this Order;

2. In payment of the interest of any money borrowed by the Nairn Harbour Board on the security of the Harbour or Harbour rates, and for the time being due and owing;

3. In the maintenance of the Harbour works;

4. In repayment of the principal of any money borrowed as aforesaid on the security of the Harbour or Harbour rates, and for the time being due and owing;

5. As to the surplus revenue of the Harbour, if any, after providing for the purposes aforesaid, the same shall be applied in repayment of any advances heretofore made for the purposes of the Harbour, out of the produce of the sale of land belonging to the community of the burgh of Nairn, or out of any other money belonging to the community, not exceeding in the whole the sum of ten thousand pounds, the amount of such advances to be shown to the satisfaction of the Board of Trade:

And the Nairn Harbour Board shall from time to time revise the scale of rates received under this Order, so that the produce of the rates may always, as far as is practicable, be sufficient and not more than sufficient for the payments directed or authorized in and by the present clause.

Power to borrow.

5. For the purpose of paying off the subsisting mortgages affecting the Harbour rates as aforesaid, or any other mortgages granted by the Nairn Harbour Board for the time being in force, or for the purpose of maintaining, repairing, or improving the Harbour, the Board may from time to time borrow such sum or sums as they deem expedient, or they may accept and take from any bank or banking company credit to such amount as they deem expedient, on a cash account to be opened and kept in the name of the Board, according to the usage of bankers in Scotland, and they may assign the rates hereby authorized in security of the repayment of the sum or sums so borrowed, or of the amount of such credits or of the sums advanced from time to time on such cash account, with interest thereon respectively, by assignations under their common seal, and signed by three of their members, which assignations may be in the form as near as may be in the Schedule (B.) to The Burgh Harbours (Scotland) Act, 1853, annexed, and shall be recorded in the register of sasines for the Burgh of Nairn, and have preference according to the priority of their registration therein, except in so far as a pari passu preference may by the assignations have been established among all or some of them, as being assignations of parts of one capital sum, which the Board may by a resolution of a specified date have determined to borrow in parts; and until repayment of the sums so to be borrowed, with the interest due thereon, the same in so far as remaining unpaid, and the assignations in security thereof, shall form real liens on the rates hereby authorized to be levied, preferable to all other debts and claims, except such mortgage debts affecting the Harbour rates as may be subsisting at the time of the passing of the Act confirming this Order; and every assignation to be granted in pursuance hereof may be transferred in whole or in part by a separate transfer in the form as near as may be of the Schedule (C.) to The Burgh Harbours (Scotland) Act, 1853, annexed; provided that all such transfers shall be recorded in the said register of sasines, and that when two or more transfers shall have been granted of the whole or part of one assignation, they shall have preference according to the priority of their registration excepting in so far as they may have been granted subject to a pari passu preference inter se.

6. The

6. The debts of the Nairn Harbour Board secured on mortgage of the Harbour rates, which at the time of the passing of the Act confirming this Order are subsisting, shall then become and be a charge upon the rates hereby authorized; and nothing in this Order shall prejudice or alter the rights to priority, inter se, of charge upon such rates of the several holders of such mortgages, or any of the rights, privileges, and remedies belonging or incident to such mortgages respectively. Saving rights of present mortgagees of Harbour Board.

7. If within two months after the interest on any mortgages granted by the Nairn Harbour Board has become due, or after the period prescribed for the payment of the principal sums in such mortgages has expired, such interest or principal (as the case may be) shall not be paid, the holders of such mortgages, as well in respect of mortgages now subsisting as of such as may hereafter be granted by the Board, may, without prejudice to any rights, remedies, or security otherwise competent to or held by them, require the appointment of a judicial factor by an application to be made as hereinafter provided. Arrears of interest, &c. may be enforced by the appointment of a judicial factor.

8. Every application for a judicial factor under the provisions of this Order shall be made to the sheriff or sheriff substitute of the county of Nairn. On any such application, the sheriff or sheriff substitute may, by order in writing, after hearing the parties, appoint some person to receive the whole or a competent part of the Harbour rates hereby authorized, until all the arrears of interest or of principal, as the case may be, then due on the outstanding mortgages of the Nairn Harbour Board, together with all costs, including the charges of receiving the said rates, be fully paid. Upon such appointment being made, all such rates as aforesaid shall be paid to and received by the person so appointed, and the money so received shall be so much money received by or to the use of the mortgagees of the Board, and so soon as the full amount of any interest or principal in arrear, and costs, has been so received, the power of such judicial factor shall cease: Provided always, that such judicial factor shall distribute among all the mortgagees to whom interest or principal shall be in arrear, the rates which shall so come into his hands, having respect in such distribution to the priorities, if any, of such mortgagees. Appointment of a judicial factor.

9. The amount to authorize the application for appointment of a judicial factor shall be one thousand pounds in one or more mortgages. Amount to authorize application for judicial factor.

10. Notwithstanding anything in The General Pier and Harbour Act, 1861, Amendment Act contained, the following provisions of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections sixteen to nineteen, both inclusive, and sections twenty-five and twenty-six; this Order shall be deemed "the Special Act" within the meaning of the last-mentioned Act. Incorporation of portions of The Harbours, Docks, and Piers Clauses Act, 1847.

11. The Lands Clauses Consolidation (Scotland) Act, 1845, except with respect to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order, but nothing in this Order shall authorize the Nairn Harbour Board to take lands, for the purposes of this Order, exceeding in extent in the whole five acres. Incorporation of portions of Lands Clauses Consolidation Acts.

12. The Nairn Harbour Board shall have the appointment of meters and weighers within the Harbour. Meters and weighers.

13. The Nairn Harbour Board may provide such steam engines, steam vessels, piling engines, ballast lighters, rubbish lighters, and other machinery Steam vessels, lighters, &c.

and vessels as they think necessary for the purposes of the Harbour, and may demand and receive such sums for the use of the same as they think reasonable

Pilotage, lights, buoys, and beacons.

14. The Nairn Harbour Board shall be a pilotage authority and a local authority within the meaning of The Merchant Shipping Act, 1854, with all the powers by that Act conferred on pilotage authorities and on local authorities.

Part V. of 24 & 25 Vict. c. 47. to apply.

15. Part V. of The Harbours and Passing Tolls Act, 1861, shall apply to the Harbour of Nairn.

Designation of Board.

16. The Provost, Magistrates, and Town Council of the burgh of Nairn may be called The Nairn Harbour Board in all deeds, documents, and proceedings relating to the Harbour.

Short Title.

17. This Order may be cited as The Nairn Harbour Order, 1863.

Board of Trade, Whitehall.
Daed this 13th day of April 1863.

(Signed) T. H. Farrer,
Assistant Secretary.

SCHEDULE.

I.—Anchorage, or Rates on Vessels entering or using the Harbour.

	s.	*d.*
For every vessel wholly or partly decked:—		
If under 20 tons burden - - - - per ton	*0*	*4*
If 20 tons burden or upwards - - - - -	*0*	*6*
For every boat entirely undecked:—		
If landing or taking on board goods, or cured, dried, or salted fish, per ton burden - - - - - - -	*0*	*2*
If entering while or after being engaged in the white, herring, salmon, or shell fishing - - - - - per boat	*0*	*4*

II.—Stance Dues.

For every herring boat not engaged in the herring fishing at Nairn, but hauled up there for wintering—Stance Dues, yearly - per boat	*4*	*0*

III.—Rates on Passengers.

For every person landing from or embarking in any vessel or boat in the harbour - - - - - - - -	*0*	*3*

IV.—Rates on Animals and Goods shipped or unshipped, received or delivered in the Harbour.

Ballast - - - - - - - per ton	*0*	*1*
Boxes and casks, empty, exclusive of empties returned - each	*0*	*1*
Ditto, ditto, returned empty within three months after arriving full -	Exempt	
Ditto, ditto, if returned empty after 3 months - - - each	*0*	*0½*
Bricks, tiles, and slates, all kinds - - - - per 1000	*1*	*0*
Cake and feeding stuffs for cattle, all kinds - - - per ton	*1*	*0*

		s.	*d.*
Cattle and other live animals, viz.:—			
Horses, asses, mules, bulls, cows, and oxen	each	*1*	*0*
Calves, sheep, and pigs	each	*0*	*1½*
Lambs and other live animals, except poultry	each	*0*	*1*
Live poultry	per dozen	*0*	*3*
Coals, all kinds	per ton	*0*	*5*
Corn, all kinds	per quarter	*0*	*2*
Fish, viz.:—Salmon, herring, and white, all kinds, fresh, cured, salted, and dry	per cwt.	*0*	*1*
Flour and meal	per cwt.	*0*	*1*
Guano, bones, and other extraneous, artificial, light, or portable manures	per ton	*1*	*0*
Hay and straw	per ton	*0*	*8*
Lime	per ton	*0*	*5*
Or, in the Collector's option	per 8 bushels	*0*	*1*
Luggage of each Passenger arriving or leaving, if more than 2 barrels bulk	per barrel bulk	*0*	*2*
Manure, common	per ton	*0*	*2*
Salt	per ton	*1*	*0*
Shell fish, all kinds (bait for fishing exempted)	per cwt.	*0*	*1*
Spirits and wine, all kinds	per gallon	*0*	*0½*
Stones, undressed	per ton	*0*	*1*
Ditto, dressed	per ton	*0*	*2*
Ditto, paving	per ton	*0*	*4*
Tea	per 80 lbs.	*0*	*5*
Timber, unwrought, all kinds, 2 per cent. of value or quantity, at Collector's option.			
All other goods, articles, and effects not enumerated:—			
By weight	per cwt.	*0*	*1¼*
Or, in the Collector's option, by measurement	per barrel bulk	*0*	*3*

In charging the rates on goods, the gross weight or measurement to be taken, and for any less weight or measurement than those above specified, a proportion of the respective rates shall be charged, not being less than *1d.* for any one box, parcel, or package.

Five cubic feet, not exceeding 2½ cwt., to be rated as a barrel bulk; but when the weight of five cubic feet is greater than 2½ cwt., then 2½ cwt. is to be rated as a barrel bulk.

V.—Rates for the use of Sheds, Cranes, and Weighing Machines.

1. *Sheds.*

For each ton and each 8 barrels bulk of goods which shall remain in any shed, or on the pier, for any longer time than 48 hours, for the first day, or part of a day, 3*d.*; and for each day thereafter, 1½*d.*

2. *Use of Cranes.*

For all goods raised or lowered	per ton	*0*	*2*

3. *Use of Weighing Machines.*

For coals, lime, and timber	per ton	*0*	*2*
For hay and salt	per load	*0*	*6*
For all other goods and commodities	per ton	*0*	*4*

Pier and Harbour Orders Confirmation.

A

B I L L

For confirming certain Provisional Orders m by the Board of Trade under The Gen Pier and Harbour Act, 1861, relating Blackpool, Deal and Walmer, Exmo Llandudno, Rhyl, Rosehearty, Ilfracon Instow, Bangor, Chatham, Bray, Dartmo and Nairn.

(*Prepared and brought in by Mr. Milner Gibson and Mr. Hutt.*)

(*Price* 1*s.*)

Ordered, by The House of Commons, *to be Printed*, 5 *May* 1863.

[Bill 109.]

Under 12 *oz.*

A

BILL

[AS AMENDED BY THE SELECT COMMITTEE]

FOR

Confirming certain Provisional Orders made by the Board of Trade under The General Pier and Harbour Act, 1861, relating to Blackpool, Deal and Walmer, Exmouth, Rhyl, Rosehearty, Ilfracombe, Instow, Bangor, Chatham, Bray, Dartmouth, and Nairn.

Preamble.

WHEREAS a Provisional Order made by the Board of Trade under The General Pier and Harbour Act, 1861, is not of any Validity or Force whatever until the Confirmation thereof by Act of Parliament:

And whereas it is expedient that the several Provisional Orders made by the Board of Trade under the said Act and set out in the Schedule hereto should be confirmed by Act of Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Confirmation of Orders.

1. The several Provisional Orders set out in the Schedule hereto shall be and are hereby confirmed, and all the Provisions thereof in Manner and Form as they are set out in the said Schedule shall, from and after the passing of this Act, have full Validity and Force.

Short Title.

2. This Act may be cited as The Pier and Harbour Orders Confirmation Act, 1863.

The SCHEDULE of Provisional Orders.

1. BLACKPOOL.—Construction of a Pier.
2. DEAL AND WALMER.—Amendment of former Order.
3. EXMOUTH.—Construction of a Pier.
4. RHYL.—Construction of a Pier.
5. ROSEHEARTY.—Improvement of the Harbour.
6. ILFRACOMBE.—Improvement of the Harbour.
7. INSTOW.—Construction of Docks.
8. BANGOR.—Improvement of the Harbour.
9. CHATHAM.—Purchase of a Pier.
10. BRAY.—Construction of a Pier.
11. DARTMOUTH.—Improvement of the Harbour.
12. NAIRN.—Maintenance of the Harbour.

BLACKPOOL.

Provisional Order of the Board of Trade for the Construction, Maintenance, and Regulation of a Pier at Blackpool, in the County of Lancaster.

Preamble. Whereas under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the Blackpool Pier Company, Limited, made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called The Board of Trade, praying their Lordships to grant a Provisional Order containing powers for the construction of a Pier at Blackpool, in the county of Lancaster, for the use and convenience of passengers and promenaders, for the complete execution of the works, and the levying of rates and tolls:

And whereas the estimated expenditure on the proposed works is Fifteen thousand pounds, and no more:

And whereas the promoters published the advertisements, and deposited the documents, which, by the last-mentioned Act, they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier

and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force :—

The undertakers.

1. The Blackpool Pier Company Limited, herein-after called the Company, shall be the undertakers of the works authorized by this Order.

Power to take specified lands by agreement.

2. For the purposes of the works authorized by this Order, the Company may from time to time, by agreement, enter on, take, or use all or any part of the lands shown on the deposited plans as intended to be taken for the purposes of the proposed works.

Lands Clauses Acts incorporated.

3. The Lands Clauses Consolidation Act, 1845, except with respect to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Act Amendment Act, 1860, shall be incorporated with this Order.

Lands for extraordinary purposes.

4. The Company shall not purchase for extraordinary purposes land exceeding in extent in the whole two acres.

Power to make works.

5. Subject to the provisions of this Order, the Company may, on the lands taken by them under this Order or already acquired by them, and on the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of pier.

6. The works authorized by this Order comprise the following :

A pier, on iron piles, commencing at or near Bellevue Square, in front of the town of Blackpool, and carried out seawards a distance of one thousand five hundred and fifty feet, or thereabouts.

Power to take rates according to Schedule to this Order.

7. The Company may demand and receive in respect of the persons, vessels, and things in the schedule hereto described, any sums not exceeding the rates in that schedule specified.

Restriction on use of pier.

8. Nothing in this Order shall entitle vessels or boats to ship or unship at the Pier any sheep, cattle, or merchandise, or any things other than those in the schedule hereto described.

Company may contract with persons for the use of the Pier.

9. The Company may grant to passengers and promenaders or others pass tickets for the use of the Pier, on such terms, and for such a period, not exceeding one year, as may be agreed upon ; but so that no preference be given to any person.

Pass tickets not to be transferable.

Such a pass-ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit pass-ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847, for all the purposes of which Act this Order shall be deemed "the Special Act."

Custom-house officers exempt from rates.

10. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress to, on, along, and from the Pier by land, and with their vessels and otherwise, without payment.

Part V. of 24 & 25 Vict. c. 47. to apply.

11. Part V. of The Harbours and Passing Tolls, &c. Act, 1861, shall apply to the works authorized by this Order.

Short Title.

12. This Order may be cited as The Blackpool Pier Order, 1863.

Board of Trade, Whitehall.
Dated this 31st day of March 1863.

(Signed) T. H. Farrer,
Assistant Secretary.

SCHEDULE to which this Order refers.

I.—Rates on Passengers and Promenaders using the Pier.

	£	s.	d.
For every passenger or other person who shall land on the Pier from, or embark from it on board of, any ship, vessel, packet, or passage-boat, for each and every time, any sum not exceeding	0	0	6
For every person who shall use the Pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time, any sum not exceeding	0	0	2
For every Bath or sedan chair taken on the Pier, for each and every time, any sum not exceeding	0	0	6
For every perambulator, not exceeding	0	0	4
For every master of any vessel, boat, or wherry, being an inhabitant of the town of Blackpool, and using the said Pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding	1	0	0

II.—Rates on Passengers' Luggage.

For every trunk, portmanteau, box, parcel, or other package, within the description of luggage, exceeding 28 lbs. and not exceeding 112 lbs.	0	0	2
And for every 112 lbs. weight, or fractional part thereof, in addition	0	0	3

III.—Rates on Vessels using the Pier.

For every vessel under the burden of 15 tons	per ton	0	0	4
For every vessel of the burden of 15 tons and under 50 tons	„	0	0	6
For every vessel of the burden of 50 tons and under 100 tons	„	0	0	8
For every vessel of the burden of 100 tons and under 150 tons	„	0	0	10
For every vessel of the burden of 150 tons and upwards	„	0	1	0
For every lighter, for each trip		0	0	2

DEAL AND WALMER.

Provisional Order of the Board of Trade for the Amendment of The Deal and Walmer Pier Order, 1862.

Whereas by The Pier and Harbour Orders Confirmation Act, 1862, The Deal and Walmer Pier Order, 1862, set out in the Schedule thereto, made under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, empowering the Deal and Walmer Pier Company (Limited), herein-after called The Company, to construct, maintain, and regulate a Pier and Harbour at Deal in the county of Kent, was, with an exception, confirmed: Preamble. 25 & 26 Vict. c. 51.

And whereas the Company made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, praying their Lordships to grant a Provisional Order for the amendment of The Deal and Walmer Pier Order, 1862:

And whereas the Company published the advertisements and deposited the documents which, by the thirdly-mentioned Act, they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:—

1. Clause seven of The Deal and Walmer Pier Order, 1862, with the Schedule therein referred to, shall be and the same is hereby repealed. Repeal of Schedule to former Order.

2. The Company may demand and receive in respect of the persons, vessels, goods, and things in the Schedule hereto described, any sums not exceeding the rates in that Schedule specified. Power to take rates according to Schedule to this Order.

3. The Company may grant to passengers and promenaders or others pass tickets for the use of the Pier, on such terms and for such a period, not exceeding one year, as may be agreed on; but so that no preference be given to any person. Such a pass ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847; Power for Company to contract with persons for the use of the pier.

and this Order shall for all purposes be deemed "the Special Act" within the meaning of that Act.

Construction, and Short Title.

4. This Order shall be construed with The Deal and Walmer Pier Order, 1862, as one Order, and may be cited as The Deal and Walmer Pier Amendment Order, 1863.

Board of Trade, Whitehall.
Dated this 31st day of March 1863.

(Signed) T. H. Farrer,
Assistant Secretary.

SCHEDULE to which this Order refers.

I.—Rates on Vessels using the Pier.

		s.	*d.*
For every vessel under the burden of 15 tons	per ton	0	4
For every vessel of the burden of 15 tons, and under 50 tons	per ton	0	6
For every vessel of the burden of 50 tons, and under 100 tons	per ton	0	8
For every vessel of the burden of 100 tons, and under 150 tons	per ton	0	10
For every vessel of the burden of 150 tons, and upwards	per ton	1	0
All lighters, for each trip	per ton	0	2
All boats entirely open, landing or taking on board goods	each	0	6

II.—Rates on Goods shipped or unshipped at the Pier.

		s.	*d.*
Ale, beer, and porter	per hogshead	0	6
Ale (bottled)	per barrel	0	4
"	per dozen bottles	0	1
Anchors	per cwt.	0	9
Anchor stock	per foot run	0	2
Bark	per ton	2	0
Bedding	per bundle	0	3
Beef or pork	per cwt.	0	3
" "	per barrel	0	6
Biscuit or bread	per cwt.	0	3
Blubber	per tun of 252 gallons	3	0
Bones and bone dust	per ton	1	6
Bottles	per gross	0	9
Bricks	per 1,000	1	6
Butter and lard	per barrel	0	6
" "	per firkin	0	3
Cables, iron or hempen	per ton	3	0
Canvas	per bolt	0	1
Casks:			
(Empty), not being returned packages	per puncheon	0	3
Other casks in proportion.			
Cattle:			
Bulls, cows, and oxen	each	3	0
Calves	each	1	0
Horses	each	4	0
Pigs	each	0	6
Sheep	each	0	6

		s.	*d.*
Chalk	per ton	1	0
Cheese	per cwt.	0	4
Chimney pots	each	0	3
Clay	per ton	1	0
Cloth, haberdashery, &c., per package, not exceeding one cwt.		0	6
Carriages:			
Chaises and other four-wheeled carriages	each	7	6
Gigs, carts, and other two-wheeled carriages	each	5	0
Hand-carts and perambulators	each	1	0
Coals	per ton	1	0
Copper	per ton	3	0
Cordage	per cwt.	0	3
Cork	per cwt.	0	6
Corpses	each	20	0
Crystal	per box or package	0	6
Dogs	each	0	6
Drugs (in casks, hampers, or boxes)	per foot	0	2
Earthenware (in crates)	per foot	0	1
Eggs	per box	0	3
Fish:			
(Dried and salted)	per cwt.	0	3
Fresh (not enumerated)	per cwt.	0	2
Flax	per ton	2	0
Flour and meal	per sack	0	4
" "	per barrel	0	3
Fruit	per bushel or sieve	0	4
Furniture (household)	per 5 cube feet	0	4
Glass	per large crate	1	6
"	per small ditto or case	1	0
"	per box	0	6
Grains and seeds	per quarter	0	6
Groceries (not enumerated)	per cwt.	0	6
Guano	per ton	1	6
Gunpowder	per barrel or keg	0	6
Hams, bacon, or tongues	per cwt.	0	4
Hardware	per ton	2	6
Hares and rabbits	per dozen	0	4
Hay	per ton	1	6
"	per truss	0	2
Hemp	per ton	2	0
Herrings (fresh)	per 1,000	0	3
" (cured)	per barrel	0	3
Hides:			
Ox cow, or horse (wet or dry)	each	0	2
Iron:			
Bar, bolt, rod and shots	per ton	1	6
Pig and old	per ton	1	0
Manufactured	per ton	2	6
Pots	each	0	1
Kelp	per ton	2	0
Lead	per ton	2	6
Leather (tanned and dressed)	per cwt.	0	3
Lime	per 28 bushels	1	4
Limestone	per ton	1	0
Machinery	per ton	2	6
Manure, not enumerated	per ton	1	0

		s.	*d.*
Masts and spars, 10 inches in diameter and upwards	each	4	6
Under 10 inches	each	3	0
Meat (fresh)	per cwt.	0	6
Milk	per gallon	0	0½
Musical instruments	per cube foot	0	1
Nets	per 5 cube feet	0	4
Oakum	per cwt.	0	2
Oils	per ton	2	0
Oilcake	per ton	2	0
Oranges and Lemons	per box	0	6
Ores	per ton	1	0
Oysters	per bushel	0	3
Paint	per cwt.	0	4
Pitch and tar	per barrel	0	6
Potatoes	per cwt.	0	2
Poultry and game	per dozen	0	4
Rags and old rope	per ton	2	0
Sails	per cwt.	0	6
Salt	per cwt.	0	1
Sand	per ton	1	0
Shrimp baskets	each	0	2
Skins: Calf, goat, sheep, lamb or dog	per dozen	0	6
Slates	per ton of 24 cubic feet	2	0
Spirits (Foreign and British)	per hogshead	1	0
„ „	per gallon	0	1
Stones	per ton of 16 cubic feet	1	6
Steel	per ton	3	0
Sugar	per cwt.	0	3
Tallow, soap and candles	per cwt.	0	3
Tea	per chest	1	0
Tiles	per 1,000	1	6
Tin and zinc	per ton	3	0
Tobacco	per cwt.	0	6
Turbot	per score	0	3
Turnips	per ton	0	6
Turpentine and varnish	per barrel	0	6
Turtle	each	2	6
Vegetables (not enumerated)	per cwt.	0	4
Vinegar	per hogshead	0	6
Vitriol	per carboy	1	0
Water	per cask	0	3
Wine	per hogshead	1	0
„ bottled	per dozen bottles	0	2
Wood:			
Fir, pine and other descriptions not enumerated	per load of 50 feet	1	6
Oak or wainscot	per load of 50 feet	2	0
Firewood	per 216 cubic feet fathom	1	6
Laths and lathwood	per fathom of 216 cubic feet	2	6
Handspikes	per 120	3	0
Oars	per 120	5	0
Spars, under 22 feet in length, above 2½ and under 4 inches in diameter	per 120	5	0
„ 2½ inches in diameter and under	per 120	4	0
„ 22 feet in length and upwards, and not exceeding 4 inches in diameter	per 120	9	0
„ above 4 and under 6 inches in diameter	per 120	14	0
Spokes of wheels not exceeding 2 feet in length	per 120	2	0
„ exceeding 2 feet in length	per 120	3	0

		s.	d.
Wood—*cont.*			
Treenails	per 1,000	2	6
Wedges	per 1,000	2	6
Pipe staves and others in proportion	per 120	2	6
Lignum vitæ, fustic, logwood, mahogany, and rosewood	per ton	2	0
Wool	per cwt.	0	4
Yarn	per cwt.	0	2

All other Goods not particularly enumerated in the above Table.

Light goods	per cube foot	0	1
Heavy goods	per ton	2	0

In charging the rates on goods, the gross weight or measurement of all goods to be taken, and for any less weights, measures, and quantities than those above specified, a proportion of the respective rates shall be charged.

III.—Rates for use of Cranes, Weighing Machines, and Spars.

1*st. Rates of Craneage.*

All goods or packages not exceeding 1 ton	0	0	4
Exceeding 1 ton, and not exceeding 2 tons	0	0	6
Exceeding 2 tons, and not exceeding 3 tons	0	0	8
Exceeding 3 tons, and not exceeding 4 tons	0	0	10
Exceeding 4 tons, and not exceeding 5 tons	1	0	
Exceeding 5 tons, and not exceeding 6 tons	1	2	
Exceeding 6 tons, and not exceeding 7 tons	1	4	
Exceeding 7 tons and not exceeding 8 tons	1	6	
Exceeding 8 tons, and not exceeding 9 tons	1	10	
Exceeding 9 tons, and not exceeding 10 tons	2	4	
Exceeding 10 tons	3	6	

2*d. Weighing Machines.*

For goods weighed, for each ton or part of a ton	0	0	2

3*d. Shed Dues.*

For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwt. which shall remain in the sheds or other works of the Pier for a longer time than 48 hours, the sum of 3*d.*; and the sum of 1½*d.* per ton for each day during which such goods shall remain after the first 48 hours.

For any portmanteau, trunk, parcel, or other article of passengers' luggage, for each day or part of a day, per package	0	0	2

IV.—Rates for Laying Water Mains on Pier.

Water	per ton	0	6

V.—Rates on Passengers and Promenaders using the Pier.

	£	s.	d.
For every passenger or other person who shall land on the Pier from, or embark from it on board of, any ship, vessel, packet, or passage-boat, for each and every time, any sum not exceeding	0	0	6
For every person who shall use the Pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time, any sum not exceeding	0	0	2

	£	s.	d.
For every Bath or sedan chair taken on the Pier, for each and every time, any sum not exceeding	0	0	6
For every perambulator	0	0	2
For every master of any vessel, boat, or wherry, being an inhabitant of the town of Deal or parish of Walmer, and using the said Pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding	1	0	0

VI.—Rates on Passengers Luggage, landed or shipped.

	s.	d.
For every trunk, portmanteau, box, parcel, or other package, within the description of luggage, not exceeding 28 lbs.	0	2
Over 28 lbs. and not exceeding 84 lbs.	0	4
Over 84 lbs. and not exceeding 112 lbs.	0	5
Over 112 lbs. and not exceeding 140 lbs.	0	6
Over 140 lbs. and not exceeding 196 lbs.	0	7
Over 196 lbs. and not exceeding 2 cwt.	0	8
And for every cwt. beyond	0	4
And for every 20 lbs. weight in addition	0	1

EXMOUTH.

Provisional Order of the Board of Trade for the Construction, Maintenance, and Regulation of a Pier at Exmouth, in the County of Devon.

Preamble. Whereas under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the Exmouth Pier Company (Limited) made application by a Memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, praying their Lordships to grant a Provisional Order, containing powers for the construction of a Pier at Exmouth in the county of Devon, for the complete execution of the works, and for the levying of rates and tolls:

And whereas the estimated expenditure on the proposed works is Twelve thousand pounds, and no more:

And whereas the promoters published the advertisements and deposited the documents which, by the last-mentioned Act, they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That,

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:—

1. The Exmouth Pier Company (Limited), herein-after called The Company, shall be the undertakers of the works authorized by this Order. — The Undertakers.

2. For the purposes of the works authorized by this Order, the Company may from time to time, by agreement, enter on, take, or use all or any part of the lands shown on the deposited plans as intended to be taken for the purposes of the proposed works. — Power to take specified lands by agreement.

3. The Lands Clauses Consolidation Act, 1845, except with respect to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Act Amendment Act, 1860, shall be incorporated with this Order. — Lands Clauses Acts incorporated.

4. The Company shall not purchase for extraordinary purposes land exceeding in extent in the whole three acres. — Lands for extraordinary purposes.

5. Subject to the provisions of this Order, the Company may, on the lands taken by them under this Order, and in the lines, and according to the levels, and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans. — Power to make works.

6. The works authorized by this Order comprise the following: — Description of pier.

A Pier commencing at or near the western extremity of the present sea wall at its junction with the Ferry Road in the parish of Littleham, and extending four hundred feet or thereabouts in a southerly direction then taking a curve and running six hundred feet or thereabouts in a westerly direction.

7. The Company may demand and receive in respect of the vessels, goods, persons, and things in the Schedule hereto described, any sums not exceeding the rates in that Schedule specified. — Power to take rates according to Schedule to this Order.

8. The Company shall have the appointment of meters and weighers on or in connexion with the Pier. — Meters and weighers.

9. The Company may provide such steam engines, steam vessels, piling engines, diving bells, ballast lighters, rubbish lighters, and other machinery and vessels as they think necessary for effectuating any of the purposes of this Order and may demand and receive such sums for the use of the same as they think reasonable. — Steam engines, diving bells, lighters, &c.

10. The Company may grant to passengers and promenaders pass-tickets for the use of the Pier, on such terms and for such a period not exceeding one year as may be agreed on; but so that no preference be given to any person. Such a pass-ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847, for all the purposes of which Act this Order shall be deemed "the Special Act." — Company may contract with persons for use of the Pier.

11. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress to, on, along, and from the Pier by land and with their vessels, and otherwise, without payment. — Custom-house officers exempt from rates.

Part V. of 24 & 25 Vict. c. 47. to apply.

12. Part V. of The Harbours and Passing Tolls, &c. Act, 1861, shall apply to the works authorized by this Order.

Saving for Corporation of Exeter.

13. Nothing in this Order shall prejudice, diminish, alter, or take away any right, toll, rate, or duty belonging to or vested in the Mayor, Aldermen, and Burgesses of the city of Exeter within the limits of the port of Exeter.

Short title.

14. This Order may be cited as The Exmouth Pier Order, 1863.

Board of Trade, Whitehall.

Dated this 31st day of March 1863.

(Signed) T. H. Farrer,
Assistant Secretary.

SCHEDULE to which this Order refers.

I.—Rates on Vessels using the Pier.

	s.	*d.*
For every vessel under the burden of 15 tons, per ton	0	4
For every vessel of the burden of 15 tons, and under 50 tons, per ton	0	6
For every vessel of the burden of 50 tons, and under 100 tons, per ton	0	8
For every vessel of the burden of 100 tons, and under 150 tons, per ton	0	10
For every vessel of the burden of 150 tons and upwards, per ton	1	0
All lighters, for each trip, per ton	0	2
All boats entirely open, landing or taking on board goods, each	0	6

II.—Rates on Goods shipped or unshipped at the Pier.

Ale, beer, and porter, per hogshead	0	6
Ale (bottled), per barrel	0	4
„ per dozen bottles	0	1
Anchors, per cwt.	0	9
Anchor stock, per foot run	0	2
Bark, per ton	2	0
Bedding, per bundle	0	3
Beef or pork, per cwt.	0	3
„ „ per barrel	0	6
Biscuit or bread, per cwt.	0	3
Blubber, per tun of 252 gallons	3	0
Bones and bone dust, per ton	1	6
Bottles, per gross	0	9
Bricks, per 1,000	1	6
Butter and lard, per barrel	0	6
„ „ per firkin	0	3
Cables, iron or hempen, per ton	3	0
Canvas, per bolt	0	1
Casks (empty), not being returned packages, per puncheon	0	3
Other casks in proportion.		
Cattle:		
Bulls, cows, and oxen, each	3	0
Calves, each	1	0
Horses, each	4	0
Pigs, each	0	6
Sheep, each	1	0
Chalk, per ton	1	0
Cheese, per cwt.	0	4

	s.	*d.*
Chimney pots, each	0	3
Clay, per ton	1	0
Cloth, haberdashery, &c., per package, not exceeding one cwt.	0	6
Carriages:		
Chaises and other four-wheeled carriages, each	7	6
Gigs, carts, and other two-wheeled carriages, each	5	0
Hand-carts and perambulators, each	1	0
Coals, per ton	1	0
Copper, per ton	3	0
Cordage, per cwt.	0	3
Cork, per cwt.	0	6
Corpses, each	20	0
Crystal, per box or package	0	6
Dogs, each	0	6
Drugs (in casks, hampers, or boxes), per foot	0	2
Earthenware (in casks, hampers, or boxes), per foot	0	2
Earthenware (in crates), per foot	0	1
Eggs, per box	0	3
Fish (dried and salted), per cwt.	0	3
„ fresh (not enumerated), per cwt.	0	2
Flax, per ton	2	0
Flour and meal, per sack	0	4
„ per barrel	0	3
Fruit, per bushel or sieve	0	4
Furniture (household), per 5 cubic feet	0	4
Glass, per large crate	1	6
„ per small ditto or case	1	0
„ per box	0	6
Grains and seeds, per quarter	0	6
Groceries (not enumerated)	0	6
Guano, per ton	1	6
Gunpowder, per barrel or keg	0	6
Hams, bacon, or tongues, per cwt.	0	4
Hardware, per ton	2	6
Hares and rabbits, per dozen	0	4
Hay, per ton	1	6
„ per truss	0	2
Hemp, per ton	2	0
Herrings (fresh) per 1,000	0	3
„ (cured) per barrel	0	3
Hides:		
Ox, cow, or horse (wet or dry) each	0	2
Iron:		
Bar, bolt, rod, and shots, per ton	1	6
Pig and old, per ton	1	0
Manufactured, per ton	2	6
Pots, each	0	1
Kelp, per ton	2	0
Lead, per ton	2	6
Leather (tanned and dressed), per cwt.	0	3
Lime, per 28 bushels	1	4
Limestone, per ton	1	0
Machinery, per ton	2	6
Manure, not enumerated, per ton	1	0
Masts and spars, 10 inches in diameter and upwards, each	4	6
Under 10 inches each	3	0
Meat (fresh) per cwt.	0	6
Milk, per gallon	0	0½

	s.	d.
Musical instruments, per cube foot	0	1
Nets, per 5 cube feet	0	4
Oakum, per cwt.	0	2
Oils, per tun	2	0
Oilcake, per ton	2	0
Oranges and lemons, per box	0	6
Ores, per ton	1	0
Oysters, per bushel	0	3
Paint, per cwt.	0	4
Pitch and tar, per barrel	0	6
Potatoes, per cwt.	0	2
Poultry and game, per dozen	0	4
Rags and old rope, per ton	2	0
Sails, per cwt.	0	6
Salt, per cwt.	0	1
Sand, per ton	1	0
Shrimp baskets, each	0	2
Skins: Calf, goat, sheep, lamb, or dog, per dozen	0	6
Slates, per ton of 24 cubic feet	2	0
Spirits (Foreign and British) per hogshead	1	0
Ditto ditto per gallon	0	1
Stones, per ton of 16 cubic feet	1	6
Steel, per ton	3	0
Sugar, per cwt.	0	3
Tallow, soap, and candles, per cwt.	0	3
Tea, per chest	1	0
Tiles, per 1,000	1	6
Tin and zinc, per ton	3	0
Tobacco, per cwt.	0	6
Turbot, per score	0	3
Turnips, per ton	0	6
Turpentine and varnish, per barrel	0	6
Turtle, each	2	6
Vegetables (not enumerated) per cwt.	0	4
Vinegar, per hogshead	0	6
Vitriol, per carboy	1	0
Water, per cask	0	3
Wine, per hogshead	1	0
„ bottled, per dozen bottles	0	2
Wood:		
Fir, pine, and other descriptions not enumerated, per load of 50 feet	1	6
Oak or wainscot, per load of 50 feet	2	0
Firewood, per 216 cubic feet fathom	1	6
Laths and lathwood, per fathom of 216 cubic feet	2	6
Handspikes, per 120	3	0
Oars, per 120	5	0
Spars, under 22 feet in length, above $2\frac{1}{2}$, and under 4 inches in diameter, per 120	5	0
„ $2\frac{1}{2}$ inches in diameter and under, per 120	4	0
„ 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120	9	0
„ above 4 and under 6 inches in diameter, per 120	14	0
Spokes of wheels not exceeding 2 feet in length, per 120	2	0
„ exceeding 2 feet in length, per 120	3	0
Trenails, per 1,000	2	6
Wedges, per 1,000	2	6
Pipe staves and others in proportion, per 120	2	6
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	2	0

	s.	d.
Wool, per cwt.	0	4
Yarn, per cwt.	0	2

All other Goods not particularly enumerated in the above Table.

Light goods, per cube foot	0	1
Heavy goods, per ton	2	0

In charging the rates on goods, the gross weight or measurement of all goods to be taken, and for any less weights, measures, and quantities than those above specified, a proportion of the respective rates shall be charged.

III.—Rates for Use of Cranes, Weighing Machines, and Sheds.

1*st. Rates of Craneage.*

All goods or packages not exceeding 1 ton	0	4
Exceeding 1 ton, and not exceeding 2 tons	0	6
Exceeding 2 tons, and not exceeding 3 tons	0	8
Exceeding 3 tons, and not exceeding 4 tons	0	10
Exceeding 4 tons, and not exceeding 5 tons	1	0
Exceeding 5 tons, and not exceeding 6 tons	1	2
Exceeding 6 tons, and not exceeding 7 tons	1	4
Exceeding 7 tons, and not exceeding 8 tons	1	6
Exceeding 8 tons, and not exceeding 9 tons	1	10
Exceeding 9 tons, and not exceeding 10 tons	2	4
Exceeding 10 tons	3	6

2*d. Weighing Machines.*

For goods weighed, for each ton or part of a ton	*0*	*2*

3*d. Shed Dues.*

For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwt. which shall remain in the sheds or other works of the Pier for a longer time than 48 hours, the sum of 3*d.*; and the sum of 1½*d.* per ton for each day during which such goods shall remain after first 48 hours.

For any portmanteau, trunk, parcel, or other articles of passengers luggage, for each day or part of a day, per package	0	0	2

IV.—Rates for laying Water Mains on Pier.

Water, per ton	0	0	6

V.—Rates on Passengers and Promenaders using the Pier.

	£	s.	d.
For every passenger or other person who shall land on the Pier from, or embark from it on board of, any ship, vessel, packet, or passage boat, for each and every time, any sum not exceeding	0	0	6
For every person who shall use the Pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time, any sum not exceeding	0	0	2
For every Bath, or sedan chair taken on the Pier, for each and every time any sum not exceeding	0	0	6
For every perambulator	0	0	2
For every master of any vessel, boat, or wherry, being an inhabitant of the town of Exmouth, and using the said Pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding	1	0	0

VI.—Rates on Passengers Luggage.

	£	s.	d.
For every trunk, portmanteau, box, parcel, or other package within the description of luggage, not exceeding 28 lbs.	0	0	2
Over 28 lbs. and not exceeding 84 lbs.	0	0	4
Over 84 lbs. and not exceeding 112 lbs.	0	0	5
Over 112 lbs. and not exceeding 140 lbs.	0	0	6
Over 140 lbs. and not exceeding 196 lbs.	0	0	7
Over 196 lbs. and not exceeding 2 cwt.	0	0	8
And for every cwt. beyond	0	0	4
And for every 20 lbs. weight in addition	0	0	1

RHYL.

Provisional Order of the Board of Trade for the Construction, Maintenance, and Regulation of a Pier at Rhyl in the county of Flint.

Preamble. Whereas under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the promoters of the Rhyl Pier made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to trade and foreign plantations, herein-after called the Board of Trade, setting forth the necessity of a Pier at Rhyl in the county of Flint, and praying their Lordships to approve of the project thus submitted, and to grant a Provisional Order for its execution, containing powers and privileges for the complete execution of the works and for the levying of rates and tolls not exceeding those herein-after specified:

And whereas the estimated expenditure on the proposed works is Fifteen thousand pounds and no more:

And whereas the promoters published the advertisements and deposited the documents which, by the last-mentioned Act, they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:—

Undertakers. 1. The Rhyl Pier Company (Limited), herein-after called the Company, shall be the undertakers of the works authorized by this order.

2. For

Power to take specified Lands by Agreement.

2. For the purposes of the works authorized by this Order, the Company may from time to time, by agreement, enter on, take, or use all or any part of the lands shown on the deposited plans, as intended to be taken for the purposes of the proposed works.

Incorporation of Lands Clauses Acts.

3. The Lands Clauses Consolidation Act, 1845, except with respect to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Act Amendment Act, 1860, shall be incorporated with this Order.

Power to make Works.

4. Subject to the provisions of this Order, and subject also to such alterations, if any, in the deposited plans as the Board of Trade may require in order to prevent injury to navigation, the Company may, on the lands taken by them under this Order, and in the lines, and according to the levels, and within the limits of deviation, shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of Pier.

5. The works by this Order authorized comprise the following :—

A Pier commencing at the south-western extremity of the Esplanade in the township of Rhyl, in the parish of Rhuddlan, in the county of Flint, and extending seaward one thousand three hundred feet or thereabouts, in a north-westerly direction, and thence extending two hundred and seventy feet or thereabouts, in a northerly direction.

Power to take Rates according to Schedule.

6. The Company may demand and receive in respect of the vessels, goods, persons, and things, in the Schedule hereto described, any sums not exceeding the rates in that Schedule specified.

Company may contract with persons for the use of the Pier.

7. The Company may grant to passengers and promenaders or others pass tickets for the use of the Pier, on such terms, and for such a period, not exceeding one year, as may be agreed upon; but so that no preference be given to any person. Such a pass-ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit pass-ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered as penalties are recoverable under The Harbours, Docks, and Piers Clauses Act, 1847, for all the purposes of which Act this Order shall be deemed "the Special Act."

Pass tickets not to be transferable.

Exemption of Custom House Officers from Rates.

8. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress, to, on, along, and from the Pier by land and with their vessels and otherwise, without payment.

Lands for extraordinary Purposes.

9. The Company shall not purchase for extraordinary purposes lands exceeding in the whole two acres.

Meters and Weighers.

10. The Company shall have the appointment of meters and weighers on the Pier.

Steam Engines, Diving Bells, Lighters, &c.

11. The Company may provide such steam-engines, steam-vessels, piling-engines, diving-bells, ballast lighters, and other machinery and vessels as they think necessary for effectuating any of the purposes of this Order, and may demand and receive such sums for the use of the same as they think reasonable.

Part V. of 24 & 25 Vict. c. 47. to apply.

12. Part V. of The Harbours and Passing Tolls, &c., Act, 1861, shall apply to the pier by this order authorized.

Short Title. 13. This Order may be cited as The Rhyl Pier Order, 1863.

Board of Trade, Whitehall.
Dated this 31st day of March 1863.

(Signed) T. H. Farrer,
Assistant Secretary.

The SCHEDULE referred to.

I.—Rates on Vessels using the Pier.

		s.	d.
For every vessel under the burden of 15 tons	per ton	0	4
For every vessel of the burden of 15 tons, and under 50 tons	per ton	0	6
For every vessel of the burden of 50 tons, and under 100 tons	per ton	0	8
For every vessel of the burden of 100 tons, and under 150 tons	per ton	0	10
For every vessel of the burden of 150 tons, and upwards	per ton	1	0
All lighters for each trip	per ton	0	2
All boats entirely open, landing or taking on board goods	each	0	6

II.—Rates on Goods shipped or unshipped at the Pier.

Ale, beer, and porter	per hogshead	0	6
Ale (bottled)	per barrel	0	4
"	per dozen bottles	0	1
Anchors	per cwt.	0	9
Anchor stock	per foot run	0	2
Bark	per ton	2	0
Bedding	per bundle	0	3
Beef or pork	per cwt.	0	3
"	per barrel	0	6
Biscuit or bread	per cwt.	0	3
Blubber	per tun of 252 gallons	3	0
Bones and bone dust	per ton	1	6
Bottles	per gross	0	9
Bricks	per 1,000	1	6
Butter and lard	per barrel	0	6
"	per firkin	0	3
Cables, iron or hempen	per ton	3	0
Canvas	per bolt	0	1
Carriages:			
Chaises and other four-wheeled carriages	each	7	6
Gigs, carts, and other two-wheeled carriages	each	5	0
Hand carts and perambulators	each	1	0
Casks (empty), not being returned packages	per puncheon	0	3
Other casks in proportion.			
Cattle:			
Bulls, cows, and oxen	each	3	0
Calves	each	1	0
Horses	each	4	0
Pigs	each	0	6
Sheep	each	0	6
Chalk	per ton	1	0
Cheese	per cwt.	0	4
Chimney pots	each	0	3
Clay	per ton	1	0
Cloth, haberdashery, &c.	per package, not exceeding one cwt.	0	6

		s.	d.
Coals	per ton	1	0
Copper	per ton	3	0
Cordage	per cwt.	0	3
Corks	per cwt.	0	6
Corpses	each	20	0
Crystal	per box or package	0	6
Dogs	each	0	6
Drugs (in casks, hampers, or boxes)	per foot	0	2
Earthenware (in crates)	per foot	0	1
Eggs	per box	0	3
Fish (dried and salted)	per cwt.	0	3
„ fresh, not enumerated	per cwt.	0	2
Flax	per ton	2	0
Flour and meal	per sack	0	4
„	per barrel	0	3
Furniture (household)	per 5 cubic feet	0	4
Fruit	per bushel or sieve	0	4
Glass	per large crate	1	6
„	per small crate or case	1	0
„	per box	0	6
Grains and seeds	per quarter	0	6
Groceries, not enumerated	per cwt.	0	6
Guano	per ton	1	6
Gunpowder	per barrel or keg	0	6
Hams, bacon, or tongues	per cwt.	0	4
Hardware	per ton	2	6
Hares and rabbits	per dozen	0	4
Hay	per ton	1	6
„	per truss	0	2
Hemp	per ton	2	0
Herrings (fresh)	per 1,000	0	3
„ (cured)	per barrel	0	3
Hides:			
Ox, cow, or horse (wet or dry)	each	0	2
Iron:			
Bar, bolt, rod, and shots	per ton	1	6
Pig and old	per ton	1	0
Manufactured	per ton	2	6
Pots	each	0	1
Kelp	per ton	2	0
Lead	per ton	2	6
Leather (tanned and dressed)	per cwt.	0	3
Lime	per 28 bushels	1	4
Limestone	per ton	1	0
Machinery	per ton	2	6
Manure (not enumerated)	per ton	1	0
Masts and spars, 10 inches in diameter and upwards	each	4	6
Under 10 inches	each	3	0
Meat (fresh)	per cwt.	0	6
Milk	per gallon	0	$0\frac{1}{2}$
Musical instruments	per cubic foot	0	1
Nets	per 5 cube feet	0	4
Oakum	per cwt.	0	2
Oils	per ton	2	0
Oilcake	per ton	2	0
Oranges and lemons	per box	0	6
Ores	per ton	1	0
Oysters	per bushel	0	3
Paint	per cwt.	0	4

		s.	d.
Pitch and tar	per barrel	0	6
Potatoes	per cwt.	0	2
Poultry and game	per dozen	0	4
Rags and old rope	per ton	2	0
Sails	per cwt.	0	6
Salt	per cwt.	0	1
Sand	per ton	1	0
Shrimp baskets	each	0	2
Skins—calf, goat, sheep, lamb, or dog	per dozen	0	6
Slates	per ton of 24 cubic feet	2	0
Spirits (Foreign and British)	per hogshead	1	0
„ „ „	per gallon	0	1
Stones	per ton of 16 cubic feet	1	6
Steel	per ton	3	0
Sugar	per cwt.	0	3
Tallow, soap, and candles	per cwt.	0	3
Tea	per chest	1	0
Tiles	per 1,000	1	6
Tin and zinc	per ton	3	0
Tobacco	per cwt.	0	6
Turbot	per score	0	3
Turnips	per ton	0	6
Turpentine and varnish	per barrel	0	6
Turtle	each	2	6
Vegetables (not enumerated)	per cwt.	0	4
Vinegar	per hogshead	0	6
Vitriol	per carboy	1	0
Water	per cask	3	0
Wine	per hogshead	1	0
„ (bottled)	per dozen bottles	0	2
Wood:			
Fir, pine, and other descriptions not enumerated,	per load of 50 feet	1	6
Oak or wainscot	per load of 50 feet	2	0
Firewood	per 216 cubic feet fathom	1	6
Laths and lathwood	per fathom of 216 cubic feet	2	6
Handspikes	per 120	3	0
Oars	per 120	5	0
Spars, under 22 feet in length, above 2½ and under 4 inches in diameter	per 120	5	0
„ 2½ inches in diameter and under	per 120	4	0
„ 22 feet in length and upwards, and not exceeding 4 inches in diameter	per 120	9	0
„ above 4 and under 6 inches in diameter	per 120	14	0
Spokes of wheels not exceeding 2 feet in length	per 120	2	0
„ exceeding 2 feet in length	per 120	3	0
„ treenails	per 1,000	2	6
„ wedges	per 1,000	2	6
Pipe staves, and others in proportion	per 120	2	6
Lignum vitæ, fustic, logwood, mahogany and rosewood	per ton	2	0
Wool	per cwt.	0	4
Yarn	per cwt.	0	2

All other Goods not particularly enumerated in the above Table.

Light goods	per cubic foot	0	1
Heavy goods	per ton	2	0

In charging the rates on goods, the gross weight or measurement on all goods to be taken; and for any less weights, measures, and quantities than those above specified, a proportion of the respective rates shall be charged.

III.—Rates for Use of Cranes, Weighing Machines, and Sheds.

1st. Rates of Craneage.

	s.	d.
All goods or packages not exceeding 1 ton	0	4
Exceeding 1 ton, and not exceeding 2 tons	0	6
Exceeding 2 tons, and not exceeding 3 tons	0	8
Exceeding 3 tons, and not exceeding 4 tons	0	10
Exceeding 4 tons, and not exceeding 5 tons	1	0
Exceeding 5 tons, and not exceeding 6 tons	1	2
Exceeding 6 tons, and not exceeding 7 tons	1	4
Exceeding 7 tons, and not exceeding 8 tons	1	6
Exceeding 8 tons, and not exceeding 9 tons	1	10
Exceeding 9 tons, and not exceeding 10 tons	2	4
Exceeding 10 tons	3	6

2nd. Weighing Machines.

For goods weighed, for each ton or part of a ton	0	2	

3rd. Shed Dues.

For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwt., which shall remain in the sheds or other works of the pier for a longer time than 48 hours, the sum of 3*d.*; and the sum of 1½*d.* per ton for each day during which such goods shall remain after the first 48 hours.			
For any portmanteau, trunk, parcel, or other article of passengers' luggage, for each day or part of a day - per package	0	2	

IV.—Rates for Laying Water Mains on Pier.

Water, per ton	0	6

V.—Rates on Passengers landing on or embarking from the Pier.

	£	s.	d.
For every passenger or other person who shall land on the pier from, or embark from it on board of, any ship, vessel, packet, or passage boat, for each and every time, any sum not exceeding	0	0	6
For every person who shall use the said pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time, any sum not exceeding	0	0	2
For every bath or sedan chair taken on the pier, for each and every time, any sum not exceeding	0	0	6
For every perambulator	0	0	2
For every master of any vessel, boat, or wherry, being an inhabitant of the town of Rhyl, and using the said pier for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding	1	0	0

VI.—Rates on Passengers' Luggage landed or shipped.

	s.	d.
For every trunk, portmanteau, box, parcel, or other package within the desciption of luggage, and not borne by the passenger, not exceeding 28 lbs	0	2
Over 28 lbs., and not exceeding 84 lbs.	0	4
Over 84 lbs., and not exceeding 112 lbs.	0	5
Over 112 lbs., and not exceeding 140 lbs.	0	6

	s.	d.
Over 140 lbs., and not exceeding 196 lbs. - - -	0	7
Over 196 lbs., and not exceeding 2 cwt. - - -	0	8
And for every cwt. beyond - - - -	0	4
And for every 20 lbs. weight in addition - - -	0	1

ROSEHEARTY.

Provisional Order of the Board of Trade for the Improvement, Maintenance, and Regulation of the Harbour of Rosehearty, in the County of Aberdeen.

Preamble. Whereas, under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, Alexander Dingwall Fordyce of Culsh and Brucklay, residing at Brucklay Castle, in the County of Aberdeen, heir-of-entail and in possession of the lands and barony of Pitsligo, comprehending therein the burgh of barony of Rosehearty, with the seaport and harbour of the same, and the feuars, freemen, and burgesses of the said burgh, by the town council of the burgh, as owners of the port and harbour of Rosehearty, made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, praying their Lordships to grant a Provisional Order under the said Acts for executing the works herein-after mentioned, with power to levy and recover rates according to the Schedule in the memorial referred to:

And whereas the estimated expenditure on the proposed works is Three thousand pounds and no more:

And whereas the promoters published the advertisements and deposited the documents which by the last-mentioned Act they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do, by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:—

Rosehearty Harbour Commissioners.

Incorporation of Commissioners. 1. The town council of the burgh of barony of Rosehearty, and their successors in office, shall be and are hereby for the purposes of this Order incorporated by

by the name of The Rosehearty Harbour Commissioners, and by that name shall be one body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of, lands and other property, for the purposes, but subject to the restrictions, of this Order.

The Undertakers.

2. The Rosehearty Harbour Commissioners, herein-after called the Commissioners, shall be the undertakers of the works authorized by this Order.

Incorporation of parts of Commissioners Clauses Act.

3. The Commissioners Clauses Act, 1847, except the following sections thereof, namely, sections 6 to 55 (both inclusive) and 84, 96, 97 and 98, shall be incorporated with this Order.

Borrowing.

4. The Commissioners may borrow on mortgage or bond, at interest, such sums of money as may be required for the purposes of the works authorized by this Order, not exceeding in the whole the sum of three thousand pounds.

Sinking fund.

5. In order to create a sinking fund for the discharge of the principal money so borrowed, the Commissioners shall yearly set apart the surplus revenue of the Harbour, and shall deposit the same in some joint stock bank of issue in Scotland, to be increased by accumulation in the way of compound interest or otherwise, until the time when the accumulated fund shall be sufficient to pay off the principal money borrowed, or any such part thereof as the Commissioners may think ought to be then paid off, and the Commissioners shall then apply such accumulated fund in such payment accordingly; but so that the Commissioners shall not allow any sum exceeding five hundred pounds to remain so deposited for a longer time than six calendar months without applying the same in such payment as aforesaid.

Re-borrowing.

6. Any money borrowed under this Order and discharged by means of the sinking fund aforesaid shall not be re-borrowed; but any money borrowed and discharged otherwise than by means of such sinking fund may be re-borrowed, if required for the purposes of this Order, and so toties quoties.

Receiver.

7. The mortgagees of the Commissioners may enforce the payment of the arrears of interest, or of the arrears of principal and interest, due to them on their respective mortgages, by the appointment of a receiver. The amount to authorize a requisition for a receiver shall be one thousand pounds.

Money to be applied to purposes of order.

8. Every part of the money borrowed under this Order shall be applied only for purposes authorized by this Order.

Lands.

Power to take specified lands by agreement.

9. For the purposes of this Order, the Commissioners may from time to time, by agreement, enter on, take, or use all or any part of the lands shown on the deposited plans as intended to be taken for the purposes of the proposed works.

Lands Clauses Acts incorporated.

10. The Lands Clauses Consolidation (Scotland) Act, 1845, except with respect to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order.

Works.

Power to make works.

11. Subject to the provisions of this Order, the Commissioners may, on the lands taken by them under this Order, and in the lines and according to the levels, and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

12. The works authorized by this Order comprise the following:—

Description of piers and breakwater.

To alter, deepen, improve, and enlarge, the Harbour of Rosehearty with the entrance to the same, lying in the parish of Pitsligo, in the county of Aberdeen; to clear out sunken rocks in the channel approach to the said Harbour:

To make and maintain a Pier or Breakwater, and other works and conveniences connected therewith, commencing at the termination of the present north pier or breakwater of the said Harbour, and extending seaward in a northerly direction to the extremity of the rocks, called the Tarn-head, a distance of one hundred and seventy feet or thereabouts:

To make another Pier, and works and conveniences connected therewith, commencing at the termination of the present pier, called Port Rae, lying within the limits of the said Harbour, and extending in a south-easterly direction two hundred and sixty feet or thereabouts; and to deepen and improve the approach to the last-mentioned Pier.

Rates.

Power to take rates according to Schedule.

13. The Commissioners may demand and receive in respect of the vessels, goods, and things described in the Schedule hereto, any sums not exceeding the rates in that Schedule specified.

Custom House Officers exempt from rates.

14. Officers of Customs being in the execution of their duty, shall at all times have free ingress, passage and egress, on, into, along, through, and out of, the Pier and Harbour, by land, and with their vessels and otherwise, without payment.

Application of rates and monies received by the Commissioners.

15. The Commissioners shall apply all rates received under this Order, and all other money coming to their hands from the existing Harbour or new works, or the lands or property connected therewith, for the purposes and in the order following, and not otherwise:—

(1.) In paying the costs of and connected with the preparation and making of this Order:

(2.) In paying the expenses of the maintenance, management and regulation, of the existing Harbour and new works, and of the lands and property connected therewith:

(3.) In paying the interest on any money borrowed under this Order, and any sum payable on account of the principal thereof:

(4.) As to the surplus revenue of the Harbour, that is to say, so much of the rates and other money aforesaid as may remain after making the several payments before in the present clause directed,—in creating a sinking fund in manner before in this Order specified.

General Provisions.

Life-boats, tide-gauges, &c.

16. The following provisions of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections 16, 17, 18, and 19.

Lands for extraordinary purposes.

17. The Commissioners shall not purchase for extraordinary purposes lands exceeding in extent in the whole two acres.

Meters and weighers.

18. The Commissioners shall have the appointment of meters and weighers within the Harbour.

19. The

19. The Commissioners may provide such steam engines, steam vessels, piling engines, diving bells, ballast lighters, rubbish lighters, and other machinery and vessels, as they think necessary for effectuating any of the purposes of this Order; and may demand and receive such sums for the use of the same as they think reasonable. Steam engines, diving bells, lighters, &c.

20. The Commissioners shall be a pilotage authority and a local authority within the meaning of The Merchant Shipping Act, 1854, with all the powers by that Act conferred on pilotage authorities and local authorities. Pilotage, lights, buoys, and beacons.

21. Part V. of The Harbours and Passing Tolls, &c. Act, 1861, shall apply to Rosehearty Harbour as altered under this Order. Part V. of 24 & 25 Vict. c. 47 to apply.

22. This Order may be cited as The Rosehearty Harbour Order, 1863. Short title.

Board of Trade, Whitehall.

Dated this 4th day of April 1863.

(Signed) T. H. Farrer,
Assistant Secretary

SCHEDULE.

I.—Rates on Vessels and Boats entering or using the existing Harbour or New Works.

	Per Ton. s.	d.
For every vessel under the burden of 15 tons	0	1½
For every vessel of the burden of 15 tons and upwards	0	2
All boats entirely open, landing or taking on board goods, or dried or salted fish, each	0	6
All drave or large boats entering the harbour or precincts thereof, with fresh fish (except those belonging to or fishing at Rosehearty during the whole herring fishing season), each	0	4
All open boats engaged in the herring fishing at Rosehearty, shall pay one cran of herrings each out of the first herrings which may be caught after the ordinary fishing with net commences, in full of rates or tonnage duty, including water and lights, for the whole period of their fishing season.		

II.—Rates on Goods, shipped or unshipped, received or delivered, within the existing Harbour, or at the New Works.

	s.	d.
Ale and porter, per hogshead	0	6
Ale and porter, bottled, per barrel bulk	0	3
Bark or cutch, per ton	1	0
Barrels, empty, each	0	0½
Beef or pork, per ton	1	4
Beef or pork, per barrel	0	2
Blubber, per ton 252 gallons	1	0
Bone dust, per ton	0	8
Bones of cattle, per ton	0	6
Bottles, per gross	0	2
Bricks, per thousand	0	8
Butter, per ton	1	4

	s.	*d.*
Casks, empty, not being returned packages, per puncheon	0	3
Other casks, not enumerated, in proportion.		
Cattle: viz.—		
Bulls, each	0	3
Cows and oxen, each	0	2
Calves, each	0	0½
Horses, each	0	2
Pigs, each	0	0½
Sheep, per score	0	6
Lambs, per score	0	3
Chalk, per ton	0	6
Cheese, per ton	1	4
Chimney cans, per hundred	1	4
Clay, fire, manufactured, per ton	0	6
Clay, common, per ton	0	2
Cloth, haberdashery, &c., per barrel bulk	0	2
Coaches: viz.—		
Chaises and other four-wheeled carriages, each	0	8
Gigs, carts, and other two-wheeled carriages, each	0	6
Coals:		
Scotch, English, smithy, and culm, per ton	0	3
Copper, per ton	1	4
Corks, per barrel bulk	0	2
Corn: viz.—		
Wheat and malt, per quarter	0	2
Barley, beans, pease, tares, oats, rye, buckwheat, and Indian corn, per quarter	0	1½
Crystal, per barrel bulk	0	2
Dissolved bones and other artificial manures, per ton	0	8
Drugs, per barrel bulk	0	3
Earthenware, per crate	0	8
Eggs, per barrel bulk	0	2
Fish, dried and salted, per ton	1	4
Fish, fresh, haddocks, cod, ling, and all fish not enumerated, per barrel bulk of 2½ cwt.	0	2
Flax and hemp, per ton	1	4
Flour, per sack	0	2
Flour, per barrel	0	1½
Glass, per barrel bulk	0	3
Groceries: viz.—		
Almonds, figs, cinnamon, currants, pepper, pimento, plums, prunes, raisins, and the like, per barrel bulk	0	3
Guano, per ton	0	8
Gunpowder, per barrel	0	3
Hardware, per barrel bulk	0	3
Hay, per ton	0	8
Herrings, fresh, per cran	0	1
Herrings, cured, upon which dues have been charged on landing them fresh at this Harbour, per barrel	0	1
Herrings brought here for shipment, which have been landed fresh at any other place, and have not been charged dues at this Harbour, per barrel	0	2
Hides: viz.—		
Ox, cow, or horse, salted or dried, per ton	1	4
Calf skins, per 120	0	10
Sheep skins, per 120	0	10
Lamb skins, per 120	0	6
Hoops of wood, per thousand	0	5

	s.	*d.*
Hoops, iron, per ton	1	4
Household furniture, per barrel bulk	0	1
Household furniture belonging to parties changing their residence only, per 10-barrel bulk	0	6
Husbandry utensils, per ton	1	4
„ per barrel bulk	0	2
Iron: viz.—		
Bar, bolt, and rod, per ton	1	4
Pig or old, per ton	0	8
Kelp, per ton	0	8
Lead, all kinds, per ton	1	4
Leather, tanned and dressed, per ton	1	4
Lime, per chaldron of 16 bolls	0	8
Limestone, per ton	0	3
Loam or moulding sand, per ton	0	3
Machinery, per ton	1	3
„ per barrel bulk	0	3
Manure, street, per ton	0	2
Meal, per bag of 280 lbs.	0	2
Oils, per tun	1	0
Ores: viz.—		
Copper, iron, lead, and other ores, per ton	0	8
Passengers' luggage, not exceeding 4 barrels' bulk, free; all above 4 barrels' bulk, per barrel bulk	0	3
Peats, per ton	0	3
Potatoes, per ton	0	4
Rags of all kinds, and old ropes, per ton	0	10
Rape and oil-cakes, per ton	0	8
Salmon, per barrel bulk	0	2
Salt in bulk, per ton	0	4
„ in barrels, per barrel	0	1
Seeds of all kinds, not enumerated, per ton	1	4
Skins, seal, per 120	0	8
Slates, under size, per 1,000	0	6
„ sizeable „	0	10
„ over size „	1	4
Spirits, foreign and British, per hogshead of 56 gallons	0	8
Stones:		
Rubble, per ton of 16 cubic feet	0	2
Hewn ashlar freestone, per ditto	0	4
Rough ashlar freestone, per ditto	0	3
Pavement, not exceeding 3 inches thick, per 70 feet	0	4
Pavement, above 3 inches thick, per 16 cubic feet	0	4
Scythe stones, per score	0	1
Mill stones, each	0	6
Grave stones, each	0	6
Grind stones, each	0	4
Steel, per ton	1	4
Sugar, per ton	1	4
Tallow, per ton	1	4
Tar, pitch, or resin, per barrel	0	2
Tea, per chest	0	3
Tiles, roofing, per 1,000	0	9
Tiles, or pipes for draining, per 1,000	0	7
Tin of all kinds, per ton	1	4
Tobacco, per ton	2	6
Treenails, under 2 feet in length, per 1,000	0	6
„ exceeding 2 feet in length, per 1,000	1	0

	s.	*d.*
Turnips, per ton	0	4
Turpentine, per hogshead	0	8
Vegetables, per cart-load	0	2
Vinegar, per hogshead	0	6
Vitriol, per carboy	0	2
Whalebone, per ton	2	6
Wine, per hogshead	0	8
Wine, bottled, per barrel bulk	0	4
Wood: viz.—		
Fir, pine, and other descriptions, not enumerated, per load of 50 feet	0	10
Oak or wainscoat, per load of 50 feet	1	0
Firewood or burnwood, per fathom	0	6
Laths and lathwood, per fathom of 216 cubic feet	2	6
Handspikes, per 120	0	10
Oars, per 120	2	6
Spars, under 22 feet in length, above $2\frac{1}{2}$ and under 4 inches diameter, per 120	2	6
Spars, $2\frac{1}{2}$ inches in diameter and under, per 120	1	4
„ 22 feet in length and upwards, and not exceeding 4 inches in diameter, per 120	6	6
Spars of all lengths above 4 and under 6 inches in diameter, per 120	12	0
Spokes of wheels, not exceeding 2 feet in length, per 120	0	4
„ „ exceeding 2 feet in length, per 120	0	6
Pipe staves, per standard hundred	1	0
Herring barrel stave, per 1,000 feet	0	9
Lignum vitæ, fustic, logwood, mahogany, and rosewood, per ton	1	4
Wool, per cwt.	0	2
Yarn, per ton	1	4
Zinc, per ton	1	4

All other Goods not particularly enumerated in the above Table, viz.—

	s.	*d.*
Light goods, per barrel bulk	0	2
Heavy goods, per ton	1	4

In charging the rates on goods, the gross weight or measurement of all goods to be taken; and, for any less weights, measures, and quantities than those above specified, a proportion of the respective rates shall be charged.

Five cubic feet, not exceeding two-and-a-half hundredweight, to be rated as a barrel bulk; but when the weight of five cubic feet is greater than two-and-a-half hundredweight, then two-and-a-half hundredweight to be rated as a barrel bulk.

Rates for the Use of Sheds, Cranes, and Weighing Machines.

1.—*Sheds.*

For each ton of goods of 8 barrels bulk, or for each ton of goods of 20 cwt., which shall remain in any shed or on the pier for a longer time than 48 hours, the sum of 3*d.*; and the sum of $1\frac{1}{2}$*d.* per ton for each day during which such goods shall remain after the first 48 hours.

2.—*Cranes.*

	s.	*d.*
All goods or packages not exceeding one ton	0	3
Exceeding one ton and not exceeding two tons	0	4
Exceeding two tons and not exceeding three tons	0	6

	s.	*d.*
Exceeding three tons and not exceeding four tons	0	8
Exceeding four tons and not exceeding five tons	0	10
Exceeding five tons and not exceeding six tons	1	0
Exceeding six tons and not exceeding seven tons	1	2
Exceeding seven tons and not exceeding eight tons	1	4
Exceeding eight tons and not exceeding nine tons	1	8
Exceeding nine tons and not exceeding ten tons	2	0
Exceeding ten tons	3	0

3.—*Weighing Machines.*

For goods weighed, 1*d.* for each ton or part of a ton.

ILFRACOMBE.

Provisional Order of the Board of Trade for the Improvement, Maintenance, and Regulation of the Harbour at Ilfracombe in the County of Devon.

Whereas the Ilfracombe Harbour Company (Limited), herein-after called the Company, made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council, appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, praying their Lordships to grant a Provisional Order, pursuant to The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, containing powers for the construction at Ilfracombe, in the county of Devon, of a pier, breakwater, and other works, and for the conversion and deepening of the present harbour into a floating dock, and containing powers and privileges for the complete execution of the works, and for the levying of rates and tolls: Preamble.

And whereas the estimated expenditure on the proposed works is Fifty thousand pounds and no more:

And whereas the promoters published the advertisements and deposited the documents which by the last-mentioned Act they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled the present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force :—

The Undertakers.

1. The Company shall be the undertakers of the works authorized by this Order.

Power to take specified lands by agreement.

2. For the purposes of the works authorized by this Order, the Company may from time to time, by agreement, enter on, take, or use all or any part of the lands shown on the deposited plans as intended to be taken for the purposes of the proposed works.

Lands Clauses Acts incorporated.

3. The Lands Clauses Consolidation Act, 1845, except with respect to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Act Amendment Act, 1860, shall be incorporated with this Order.

Lands for extraordinary purposes.

4. The Company shall not purchase for extraordinary purposes land exceeding in extent in the whole five acres.

Power to make works.

5. Subject to the provisions of this Order, the Company may, on the lands taken by them under this Order, and in the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of works.

6. The works authorized by this Order comprise the following :—

(1.) An iron and stone pier and breakwater, with all proper works, approaches, and other conveniences connected therewith, for the embarking and landing of passengers, goods, and merchandize, which pier and breakwater will commence at a point eighty feet or thereabouts to the eastward of the junction of the existing quay with the pier, and extend seawards nine hundred feet or thereabouts in a north-easterly direction :

(2.) A quay or pier commencing at a point two hundred and forty feet or thereabouts to the eastward of the ship-building yard belonging to Sir Bourchier Wrey, and in the occupation of Mr. Alfred Cook :

(3.) The improvement of the existing harbour at Ilfracombe, by the conversion and deepening of the present harbour into a floating dock, with the construction of locks and all other necessary works in connection therewith ;

(4.) The construction in connection with the proposed pier, breakwater, and harbour, of quays, wharves, jetties, landing places, approaches, warehouses, offices, sheds, weighing machines, and other works and conveniences.

Power to take rates according to schedule to this Order.

7. The Company may demand and receive in respect of the vessels, goods, persons, and things in the Schedule hereto described any sums not exceeding the rates in that Schedule specified.

Power for Company to contract with persons for use of pier.

8. The Company may grant to passengers and promenaders and others pass-tickets for the use of the pier on such terms and for such period not exceeding one year as may be agreed on, but so that no preference be given to any person. Such a pass-ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit pass ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847.

9. Officers

9. Officers of Customs being in the execution of their duty shall at all times have free ingress, passage, and egress to, on, along, through, and from the pier, breakwater, harbour, and works, by land and with their vessels, and otherwise, without payment. Exemption of Custom House Officers from rates.

10. Part V. of The Harbours and Passing Tolls, &c. Act, 1861, shall apply to the works by this Order authorized. Part V. of 24 & 25 Vict. c. 47. to apply.

11. The Company shall have the appointment of meters and weighers on, within, and in connexion with the pier, breakwater, harbour, and other works. Meters and weighers.

12. The Company may provide such steam engines, steam vessels, tugs, piling engines, diving bells, ballast lighters, rubbish lighters, and other machinery and vessels, as they think necessary for effectuating any of the purposes of this Order, and may demand and receive such sums for the use of the same as they think reasonable. Steam engines, diving bells, lighters, &c.

13. This Order may be cited as The Ilfracombe Harbour Order, 1863. Short Title.

Board of Trade, Whitehall.
Dated this 9th day of April 1863.

(Signed) T. H. Farrer,
Assistant Secretary.

SCHEDULES to which Order refers.

I.—Tonnage Rates.

	s.	*d.*
For every vessel clearing for any port in the United Kingdom or the Isle of Man, per ton	0	4
For every vessel clearing for any port in Europe except the Mediterranean, or for any port in the British Possessions or United States in North America, per ton	0	6
For any vessel clearing for any other port or place than those above specified, per ton	0	9
For every vessel entering the docks for the sole and exclusive purpose of delivering or unloading ballast, per ton	0	2
For every vessel with a cargo from any port in the United Kingdom or the Isle of Man, per ton	0	4
For every vessel with a cargo from any port or place in Europe except the Mediterranean, or from any port in the British Possessions, or United States in North America, per ton	0	6
For every vessel with a cargo from any port in the Mediterranean, including Gibraltar, per ton	0	9
For every vessel with a cargo from any port or place in the Atlantic Ocean, as far south as the Cape of Good Hope or Cape Horn, per ton	0	9
For every ship with a cargo from any port or place eastward of the Cape of Good Hope, or westward of Cape Horn, per ton	1	0
For every vessel entering and leaving the docks or harbour without delivering or loading cargo, per ton	0	3

II.—Rates on Goods Shipped or Unshipped.

	s.	*d.*
Alabaster, per ton	2	0
Ale, beer, or porter, per butt or pipe	1	0
Ditto, per hogshead	0	6
Ditto, per barrel	0	4
Ditto, per kilderkin	0	2
Ditto, in bottles, per dozen	0	1
Alkali, per ton	2	0
Alkanet root, per cwt.	0	4
Alum, per cwt.	0	2
Almonds, per cwt.	0	3
Aloes, per cwt.	0	4
Alva marina, or sea grass, per ton	1	6
Amber, per cwt.	0	4
Ambergris, per package	1	0
Anchors, per cwt.	0	3
Anchovies, per cwt	0	6
Angelica, per cwt.	0	3
Animals, stuffed, each	0	6
Annatto, per cwt.	0	6
Anniseeds, per cwt.	0	3
Antimony, per cwt.	0	3
Anvils, per cwt.	0	1
Apples or pears, per cwt.	0	3
Argol, per cwt.	0	3
Arrowroot, per cwt	0	3
Arsenic, per cwt.	0	3
Ashes, barilla, per cwt.	0	1
Pearl and pot, per cwt.	0	2
Black, per cwt.	0	1
Bleaching, per cwt.	0	2
Common, per cwt.	0	1
Soda, per cwt.	0	1
Asphaltum, per cwt.	0	2
Assafœtida, per cwt.	0	6
Bacon or pork, per cwt.	0	3
Bags, empty, per score	0	2
Bagging, per cwt.	0	4
Ballast, per ton	0	6
Balsam, per cwt.	0	6
Bark, tanner's, per ton	2	0
Medicinal, per cwt.	0	4
Barilla, per ton	2	0
Baskets:		
Large, bale, or case	1	0
Small ditto, ditto, or bundle of goods not enumerated	0	6
Large, each	0	2
Small or empty, each	0	1
Basket rods, per thousand	0	3
Bass rope, per cwt.	0	2
Bedding, per bundle	0	1
Beef or pork, per tierce	0	6
Ditto, per barrel	0	4
Ditto, per half barrel and smaller package	0	2
Beehives, per dozen	0	4
Beer, spruce, per keg	0	2

	s.	*d.*
Beeswax, per cwt.	0	6
Bell metal, per cwt.	0	2
Bellows, smiths', each	0	9
Bellows, common, per dozen	0	6
Berries: bay, juniper, and yellow, per ton	3	0
Betel nuts, per cwt.	0	2
Biscuit or bread, per cwt.	0	2
Blacking, per cwt.	0	2
Blocks, heel, per gross	0	3
Last, per dozen	0	2
Ship, per dozen	0	2
Blubber, per ton	2	0
Blue, per cwt.	0	4
Bobbins, per cask	1	0
Bones and bone dust, per ton	1	6
Books, per cwt.	0	6
Boots and shoes, per hogshead	1	0
Ditto, per cwt.	1	6
Borax, per cwt.	0	2
Bottles, loose, empty, per gross	0	6
In hampers or crates, per package	0	2
Bowls of wood, per dozen	0	2
Boxes, empty, each	0	2
Iron for wheels, per cwt.	0	1
Bran, per sack	0	2
Brandy, per hogsheod	1	6
Brass, new, per cwt.	0	2
Brass, old, per cwt.	0	1
Bricks, common, per thousand	1	0
Fire, per thousand	2	0
Scouring, per thousand	1	6
Slabjacks, per dozen	0	2
Brimstone, per cwt.	0	1
Bristles, per 12lbs.	0	1
Brooms, birch, per gross	0	4
Hair, per bale	0	3
Brooms and brush handles, per gross of 12 dozen	0	6
Brush heads and stocks, per hundred	0	2
Brushes, hair, rush, or whalebone, per dozen	0	2
Bugles and beads, per cwt.	0	3
Bullion, per small package	1	0
Ditto, per package not exceeding 5*l.* value	0	6
Bullrushes, per bundle	0	1
Buoys, each	2	6
Butter, per cwt.	0	2
Ditto, per firkin	0	2
Ditto, per pot	0	1
Cables, hempen or coil, per ton	2	0
Calamine, per cwt.	0	1
Calaminaris, lapis, per cwt.	0	1
Calves velves, per cwt.	0	3
Camel's hair, per cwt.	0	4
Camphor, per cwt.	0	6
Candles, tallow, chest of 14 dozen	0	6
Ditto ditto, half chest	0	3
Ditto, wax, per 12lbs.	0	1
Canella alba, per cwt.	0	4
Canes, per bundle	0	6

	s.	*d.*
Cantharides, per cwt.	1	0
Canvas, per bolt	0	1
Caoutchouc, per cwt.	0	4
Capers, per cwt.	0	6
Capillaire, per 100 gallons	1	6
Carboys, empty, each	0	1
Cardamoms, per cwt.	0	6
Cards, wool, per dozen	0	1
Carraway seeds, per cwt.	0	3
Carriages or coaches, each	7	6
Gigs, each	4	0
For guns, each	1	6
Carts, each	2	6
Hand, and perambulators, each	1	0
Casks, empty, not being returned packages, per puncheon	0	3
Cassia, per cwt.	0	6
Cattle, viz.:		
Bulls, cows, and oxen, each	2	0
Calves, each	1	0
Horses, each	3	0
Pigs or sheep, each	0	6
Ponies, asses, or mules, each	1	6
Caviare, per cwt.	0	2
Cement, per cwt.	0	1
Chairs, mahogany, rosewood, &c., per dozen	2	0
Cane, garden, or camp-stool, per dozen	1	6
Chaff cutters, each	0	9
Chalk, per ton	1	0
Charcoal, per sack	0	1
Cheese, per cwt.	0	3
Chesnuts, per bushel	0	1
Chicory root, per cwt.	0	3
Chilies, per cwt.	0	6
Chimney pots, each	0	1
China root, per cwt.	0	4
Ware, per hogshead	1	6
Ditto, per tierce	1	0
Chiranga root, per cwt.	0	6
Chirt stones, per ton	1	0
Chocolate, per cwt.	0	6
Cider or Perry, per hogshead	0	6
In bottles, per dozen	0	1
Cigars, per cwt.	0	6
Cinders, coke, and culm, per ton	0	6
Cinnabar, per cwt.	0	9
Cinnamon, per cwt.	0	6
Citron, in salt, per pipe	1	0
Ditto preserves, per cwt.	0	4
Clay, per ton	0	6
Cloth, packs not exceeding 1 cwt.	0	4
Linen or woollen, bale, pack, or truss, per cwt.	0	4
Linen, woollen, or cotton, in boxes, per foot	0	1
Clocks, per dozen	2	0
Clogs, soles, per gross	0	6
Clover seed, per cwt.	0	3
Cloves, per cwt.	0	6
Coals, per ton	0	9
Cobalt, per ton	2	0

	s.	d.
Cochineal, per cwt.	0	6
Cocoa, per cwt.	0	4
Cocoa nuts, per 100	0	6
Coculus indicus, per cwt.	0	4
Coffee, per cwt.	0	4
Coir, rough, press-packed, and yarn, per ton	2	0
Rope, under 6 inches, per cwt.	0	2
Colours, painter's, per cwt.	0	3
Columbo root, per cwt.	0	4
Copper, per ton	3	0
Regulus, per ton	1	0
Furnaces, per 20 gallons	0	4
Coppers and stills, per ton	4	0
Copperas, per ton	2	0
Coquilla nuts, per 1,000	1	0
Coral, per cwt.	1	0
Cordage, per cwt.	0	2
Cordials, per case of 1 dozen	0	2
Ditto, per hogshead	1	6
Coriander seed, per cwt.	0	3
Corks, per 10 gross	0	3
Cork, per cwt.	0	3
Cotton, raw, per cwt.	0	3
Cowries, per cwt.	0	3
Cradles, each	0	2
Cranberries, per 5 gallons	0	2
Cream of tartar, per cwt.	0	4
Crystal, per box or package	0	6
Cubebs, per cwt.	0	6
Cummin seed, per cwt.	0	6
Currants, per cwt.	0	3
Dates, per cwt.	0	3
Diamonds, or other precious stones, per package	5	0
Divi divi, per ton	1	6
Dogs, each	0	6
Down, eider, per cwt.	0	9
Dragon's blood, per cwt.	0	6
Dripstones, each	0	6
Drugs, not enumerated, per cwt.	0	6
Ditto, per cubic foot	0	1
Earth, black, brown, red, yellow, and fuller's, per ton	1	0
Earthenware, per hogshead or large crate	1	0
Ditto, per tierce or small crate	0	6
Ditto, per case	1	0
Eau de Cologne, per case	1	0
Eggs, per gross of twelve dozen, or any less quantity	0	1
Elephant's teeth, per cwt.	0	6
Empty bags and sacks (not returned), per cwt.	0	2
Epsom salts, per cwt.	0	2
Essences, per package	1	0
Euphorbium, per cwt.	0	4
Extract of oak bark, per cwt.	0	2
Fans, per case or box	1	0
Feathers, per cwt.	0	6
Ostrich, per package	1	6
Felt, per cwt.	0	2
Figs, per cwt.	0	3
Fire arms, per chest or case	1	0

	s.	*d.*
Fish, fresh, per cwt.	0	2
Herrings, cured, per barrel	0	4
Other cured fish, per cwt.	0	3
Flax, rough, per ton	2	0
Ditto, per dozen hanks	0	1
Cordilla or tow, per ton	2	0
Floorcloth, per cwt.	0	4
Flour and meal, per sack or bag	0	2
Flower roots, plants, or trees, in packages, at per foot	0	1
Frankincense, per cwt.	0	6
Fruit, green or dry, per cwt.	0	2
Furniture, household, at per cubic foot	0	1
Fuel, patent, per ton	1	0
Flock, per bag	0	3
Galbanum, per cwt.	0	4
Gallangal, per cwt.	0	4
Galls, per cwt.	0	4
Gamboge, per cwt.	0	4
Gates, iron or wood, each	0	2
Gentian root, per cwt.	0	4
Ginger, per cwt.	0	4
Ginseng, per cwt.	0	4
Glass, per crib, slide, or case	0	6
Glauber salts, per cwt.	0	2
Glue, per cwt.	0	1
Grain and seeds, not enumerated, per quarter	0	4
Grapes, per barrel or jar	0	3
Ditto, per half-barrel or box	0	2
Grates and stoves, large, each	0	9
Ditto ditto middle, each	0	6
Ditto ditto small, each	0	3
Gravel or sand, per ton	0	6
Grease or greaves, per cwt.	0	2
Grindstones, every 12 inches in diameter	0	2
Groats, per cwt.	0	2
Guano, per ton	1	6
Gums, not enumerated, per cwt.	0	4
Gunpowder, per 100 lbs.	0	3
Haberdashery and hosiery, in bales, per cwt.	0	4
Ditto ditto in boxes, per foot	0	1
Hair, per cwt.	0	3
Hams, per cwt.	0	3
Hanks for sails, per dozen	0	1
Hardware, per cwt.	0	2
Harrows, each	0	6
Hartall, per ton	2	0
Hats, per box, per foot	0	1
Hay, or grass, per load or ton	1	0
Hay rakes, per dozen	0	3
Hemp, per ton	2	0
Hides, dry or salted, per cwt	0	3
Wet, per cwt.	0	2
Hide fleshings, per cwt.	0	2
Roundings or glue pieces, per cwt.	0	2
Hilts: Pick, per gross	1	0
Shovel, per dozen	0	2
Hones, per cwt.	0	2

	s.	d.
Honey, per gallon	0	1
Ditto, per cwt.	0	6
Hoofs, per cwt.	0	2
Hoops for mast, or white hoops, per dozen	0	2
Ditto, per bundle	0	1
Hops, per bag	1	0
Ditto, per pocket	0	6
Ditto, per end	0	3
Horns, ox and cow, per 100	0	4
Hurdles, per dozen	0	3
India rubber, loose, per cwt.	0	6
Ditto, in packages	0	4
Indigo, per cwt.	1	6
Ink, China, per cwt.	1	0
Inkle, per cwt.	0	6
Ipecacuanha, per cwt.	0	6
Iron in bars, shot, pigs, packages or loose, per ton	1	0
Ditto, hoops, chains, horseshoes and ploughshares, per ton	1	6
Ditto, nails and nail rods, per cwt.	0	1
Manufactures or machinery, in packages of 20 cwt. and not exceeding 5 tons each, per ton	3	0
Ditto, under 20 cwt.	2	0
Cables, per ton	2	0
Stamp heads, per ton	1	6
Furnaces, at per 20 gallons	0	2
(Cast) hollow ware, per cwt.	0	3
Wire, per cwt.	0	1
Plates, tinned, per box	0	3
Irons, bakers, and pudding pans, per cwt.	0	1
Patten, per gross	0	6
Isinglass, per cwt.	0	6
Ivory, per cwt.	1	0
Jack screws, per pair	0	6
Or fishing lines, per dozen	0	1
Junk or old rope, per cwt.	0	1
Jute, pressed, packed, per ton	2	0
Kelp, per ton	1	6
Kips, per cwt.	0	3
Lac dye, stick, seed, and shell, per cwt.	0	4
Ladles, per gross	0	6
Lamp black, per cwt.	0	4
Lanthorns, horn or glass, per dozen	0	2
Lard, per cwt.	0	2
Laths, per 1,000 of 4 feet, and other lengths in proportion	1	0
Lavender flowers, per cwt.	0	6
Lead, pigs or sheet, per ton	2	0
Black or white, per ton	3	0
Shot, per ton	2	6
Leather, tanned, per cwt.	0	3
Wrought, per cwt.	0	4
Leeches, per package	1	0
Lime juice, per hogshead	1	0
Lime, burnt, per ton	1	0
Limestone, per ton	0	6
Lint cloth, not in bales, per piece	0	3
Liquor, in bottles, per case or box	0	6
Liquorice or succus liquoritæ, per cwt.	0	3
Ditto root, in bundles or loose, per cwt.	0	4

	s.	d.
Maccaroni and vermicelli, per cwt.	0	4
Mace, per cwt.	0	6
Machinery, wood and iron mixed, not enumerated, per foot	0	1
Madder and madder roots, per cwt.	0	4
Malt, per quarter	0	6
Manganese, per ton	0	6
Mangles, each	1	6
Manna, per cwt.	0	6
Manure (not enumerated), per ton	1	0
Marble baths, each	5	0
Mortars, per ton	3	0
Slabs, per cwt.	0	4
Rough, in packages	0	3
Block, per ton of 12 cubic feet	3	6
Marbles, per barrel	0	6
Mats, per dozen	0	1
Maunds or hampers, empty, imported, per dozen	0	2
Melons, per basket	0	4
Melting pots, per dozen	0	3
Millboards, per 120 boards	0	6
Millinery, per foot	0	2
Molasses or treacle, per cwt.	0	2
Ditto, per puncheon	0	10
Ditto, per half ditto	0	5
Ditto, per small cask	0	3
Mops and brushes, per dozen	0	3
Mother-of-pearl shell, per cwt.	0	4
Mundic, per ton	0	6
Munjeet, per cwt.	0	4
Muriate of lime, potash, and soda, each, per cwt.	0	1
Musical instruments, per foot	0	1
Muskets, per dozen	0	6
Mustard, per firkin of 72 lbs.	0	3
Ditto, per firkin of 36 lbs., or box	0	2
Myrabolanes, per cwt.	0	3
Myrrh, per cwt.	0	4
Natron, per ton	2	0
Nankeen, per chest	1	0
Nests of trunks, per foot	0	1
Nickel, per ton	3	0
Nitrate of soda, per ton	2	0
Nutmegs, per cwt.	0	6
Nuts, per cwt.	0	3
Nux vomica, per cwt.	0	4
Oakum, per ton	2	0
Ochre, per ton	2	0
Oil, castor and essential, per cwt.	0	4
Fish, olive, seed, palm, and nut, per ton of 20 cwt.	2	0
In flasks, per chest	0	6
Ditto, per half chest	0	3
Oilcake, per ton	2	0
Olives, per barrel	0	4
Ditto, per jar	0	1
Onions, per cwt.	0	2
Opium, per cwt.	0	6
Oranges and lemons, per box	0	2
Ditto, per chest	0	4
Peel and buds, per cwt.	0	3

	s.	*d.*
Orchilla weed, per cwt.	0	4
Ores, per ton	1	0
Orpiment, per cwt.	0	3
Orris root, per cwt.	0	3
Orsidew, per package	0	6
Ox bows, per dozen	0	2
Oysters, per 1000	0	4
Paints, per cwt.	0	3
Paintings, pictures, and pier glasses, per foot	0	3
Pans, warming, per dozen	0	3
Ditto, brass, per cwt.	0	6
Paper, stationer's, per cwt.	0	4
Ditto, common, per cwt.	0	2
Parcels, 12 inches square, each	0	2
Pattens, wood, per gross	0	6
Peas, per tierce	0	4
Ditto, per barrel	0	2
Pellitory root, per cwt.	0	6
Pepper, per cwt.	0	3
Pessara, per cwt.	0	3
Pewter, per cwt.	0	2
Phials, in packages, per foot	0	1
Pianofortes, each	4	0
Pickles, per dozen bottles	0	1
Pill boxes, per vat	3	0
Ditto, per smaller packages	2	0
Pimento, per bag of 100 lbs.	0	3
Pink root, per cwt.	0	3
Pins, per cwt.	0	4
Pipe clay, per ton	1	6
Pipes for smoking, per hogshead	1	0
Ditto, per box or barrel	0	6
Pitch, tar or resin, per barrel	0	3
Plaister of Paris, per cwt.	0	1
Ploughs, each	1	0
Plums, raisins, figs, and prunes, per cwt.	0	3
Potatoes, per bushel of 2 cwt.	0	1
Poultry, fowels, &c., per dozen	0	2
Powder, hair, per cwt.	0	2
Pozzolano, per ton	2	0
Preserves, succades and sweetmeats, per cwt.	1	0
Prussiate of potash, per ton	2	0
Pyroligneate of lead, per ton	1	6
Quern stones, each	1	0
Quicksilver, per bottle	0	3
Quills, stationer's, per 1,000	0	6
Miner's, per cwt.	1	0
Quinine, per case	0	6
Rabbits, per score	0	3
Rags, per cwt.	0	1
Ratania root, per cwt.	0	6
Rhubarb, per cwt.	0	6
Rice, per tierce of 4 cwt.	0	8
Sacks of goods not enumerated	0	2
Safflower, per cwt.	0	3
Saffron, per cwt.	0	6
Sago, per cwt.	0	2
Sails, per cwt.	0	4

	s.	*d.*
Sal ammoniac, per ton	1	6
Salmon, per tierce or chest	0	6
Salt, per ton	0	6
Saltpetre and cubic nitre, per cwt.	0	2
Sand, per ton	0	6
Sarsaparilla, per cwt.	0	6
Sassafras, per cwt.	0	4
Scammony, per cwt.	0	6
Scythe stones, per 100	0	3
Scythes, per dozen	0	3
Scuttles, coal, copper, or tinplate, per dozen	0	4
Scoops, boat, per dozen	0	2
Fish, per dozen	0	3
Malt, per dozen	0	4
Seed: Garden, or agricultural grass seeds, per cwt.	0	3
Senna, per cwt.	0	3
Shellac, per cwt.	0	3
Shumac, per cwt.	0	2
Sieves, per dozen	0	3
Silk, raw, per cwt.	1	0
Thrown, per cwt.	2	0
Waste, per cwt.	0	6
Manufactured, per foot package	0	2
Skins, dried or salted, loose or in packages, per cwt.	0	3
Slatestone, per ton	1	0
Slates, writing, per gross	0	6
Rags, per score	0	1
Scantle, per 1,000	0	10
Common helling, per 1,000	0	6
Smalts, per ton	2	0
Snuff, per cwt.	0	6
Soap, per cwt.	0	3
Soda, sal, per ton	1	6
Soda water, per dozen	0	2
Sofas, each	1	0
Solder and spelter, per cwt.	0	2
Spades and shovels, per dozen	0	6
Spars. *See* Timber.		
Spermaceti, per cwt.	0	4
Spetches or tanner's waste, per ton	2	0
Spirits, wine, and cider, per pipe or puncheon	2	0
Ditto, per hogshead	1	0
Ditto, per barrel or quarter cask	0	6
Ditto, per dozen quarts	0	2
Sponge, per cwt.	1	0
Ditto, per package, under quarter of cwt.	0	6
Stamp lifters, per dozen	0	6
Starch, per cwt.	0	2
Steel, per cwt.	0	2
Stones:		
Block, per ton	0	6
Flag or paving, per ton	1	0
Mill, grave, or burr, per ton	1	0
Grinding, per ton	1	6
Emery stone, per ton	2	0
Not enumerated, per ton	1	0
Straw, per ton	2	0

	s.	d.
Straw bonnets, in bales, cases, or casks, or otherwise, per foot	0	1
Plait ditto ditto per foot	0	2
Sugar, soft, per cwt.	0	2
Refined, in barrels or bags, per cwt.	0	3
Candy, per box	0	4
Refined, per hogshead	2	0
Sulphur, per cwt.	0	2
Talc, per cwt.	0	4
Tallow, per cwt.	0	2
Tapioca, per cwt.	0	3
Tarras, per cwt.	0	1
Tea, per chest	1	6
per half chest	1	0
per quarter chest	0	6
per box	0	3
Teazles, 30 feet and under, per package	0	8
Terra Japonica, Sienna and Verde, per ton	2	0
Tessera, per barrel	0	2
Thrashing machines, each	4	0
Thrumbs, per cwt.	0	4
Tiles, per 1,000	2	0
Tin and zinc, in blocks, ingots, or barrels, per ton	3	0
Plates, per box	0	2
Tincul, per ton	2	6
Tobacco, per cwt.	0	4
Tongues, per dozen	0	2
Tonquin beans, per cwt.	0	9
Tortoiseshell, per cwt.	1	0
Tow, per ton	2	0
Toys in boxes, per foot	0	1
Trees for saddles, per dozen	0	3
Trenchers, per gross	0	4
Trucks, each	0	6
Trundle sticks, per 1,000	0	6
Turmeric, per cwt.	0	3
Turnips, per ton	1	0
Turpentine, per cwt.	0	6
Turtle, each	2	6
Twine or netting, per cwt.	0	3
Types, per cwt.	0	6
Valonia, per ton	2	0
Varnish, per barrel	0	6
Vegetables, not enumerated, per cwt.	0	2
Venice turpentine, per cwt.	0	4
Verdigris, per cwt.	0	1
Vermillion, per cwt.	1	0
Vinegar, per hogshead	0	6
Ditto per firkin	0	3
Vitriol, per carboy	0	6
Walnuts, per bushel	0	1
Wax, sealing, per cwt.	0	6
Bees, per cwt.	0	3
Whale fins, per cwt.	0	4
Ditto, per 12 lbs.	0	2
Wheelbarrows, each	0	4
Wheels, small, per pair	0	4
Ditto, large, per pair	0	8
Whip sticks, per bundle	0	1

	s.	d.
Whiting, per cwt.	0	1
Wick yarn, pack, per cwt.	0	3
Winnowing machines, each	4	0
Wood, dyer's, &c., viz.: Bar, box, brazil, braziletto, cam, cocus, ebony, fustic, lignum vitæ, logwood, nicaragua wood, quassia, sandal, sandars, japan, and sassafras, per ton	2	0
Furniture, viz.: Cedar, mahogany, rose, satin, &c.	2	6
Deals, battens, ends, boards, per load of 50 cubic feet	1	0
Timber and planks, viz.: Fir, square, per load of 40 feet	1	0
Ditto ditto round, per load of 50 feet	1	0
Oak, teak, wainscot, and other hard wood, per load of 40 feet	1	6
Timber, not enumerated, per load of 50 feet	1	0
Staves, pipe, per 120	0	6
hogshead, per 120	0	4
American, per Quebec standard of 120, of 1½ foot long by 1½ inch thick	0	9
Ditto, Quebec, puncheon, St. John's ash, and oak hogshead, per 120	0	9
Spars, under 4 inches, per dozen	0	4
under 6 inches, per dozen	0	8
under 8 inches, per dozen	1	0
mast pieces, under 12 inches, each	0	3
Treenails or trunnels, per 1,200	2	0
Ufers, under 24 feet, per 100	1	0
above 24 feet, per 100	1	6
Wainscot boards, per 100	1	6
Handspikes, per 100	0	6
Lathwood, per fathom	1	0
Timber and wood lying in the dock beyond 14 days to be charged 2*d.* per load per week in addition to the rates before specified.		
Wool, packs of British, per cwt.	0	3
Spanish, and all other, per cwt.	0	6
Shoddy, pressed, packed, per ton	2	0
Worsted, yarn, per cwt.	0	2
Yams, per package	0	6
Zaffers, per cwt.	0	4

III.—Rates for the Use of Cranes Weighing Machines, and Sheds.

1*st. Rates of Craneage.*

	s.	d.
All goods or packages not exceeding one ton	0	3
Exceeding one ton, and not exceeding two tons	0	4
Exceeding two tons, and not exceeding three tons	0	6
Exceeding three tons, and not exceeding four tons	0	8
Exceeding four tons, and not exceeding five tons	0	10
Exceeding five tons, and not exceeding six tons	1	0
Exceeding six tons, and not exceeding seven tons	1	2
Exceeding seven tons, and not exceeding eight tons	1	4
Exceeding eight tons, and not exceeding nine tons	1	8
Exceeding nine tons, and not exceeding ten tons	2	0
Exceeding ten tons	3	0

2*nd. Weighing Machines.*

For goods weighed, 1*d.* for each ton, or part of a ton

3rd. Shed Dues. s. d.

For each ton of goods of 40 cubic feet, or for each ton of goods of 20 cwt. which shall remain in the sheds or other works of the Company, or on the quays of the dock harbour, for a longer time than 48 hours, the sum of 3*d.*; and the sum of 1½*d.* per ton for each day during which such goods shall remain after the first 48 hours.

And for every portmanteau, trunk, parcel, or any other article of passengers' luggage, for each day or part of a day, per package - 0 2

IV.—Rates on Passengers and Promenaders.

For every passenger or other person who shall land from any steam or other vessel or boat in or upon the works of the Company, or any part thereof, or embark therefrom on board any steam or other vessel or boat - - - - - - - 0 6

For every person who shall use the pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time, any sum not exceeding - 0 2

For every bath or sedan chair taken on the pier, for each and every time any sum not exceeding - - - - - 0 6

For every perambulator - - - - - 0 2

V.—Rates on Passengers' Luggage.

For every trunk, portmanteau, box, parcel, or other package within the description of luggage, shipped or unshipped at or within the harbour or works of the Company, not exceeding 28 lbs. - - 0 2

Over 28 lbs., and not exceeding 84 lbs. - - - - 0 4

Over 84 lbs., and not exceeding 112 - - - - 0 5

Over 112 lbs., and not exceeding 140 lbs. - - - - 0 6

Over 140 lbs., and not exceeding 196 lbs. - - - - 0 7

Over 196 lbs., and not exceeding 2 cwt. - - - - 0 8

And for every cwt. beyond - - - - - 0 4

And for every 20 lbs. weight in addition - - - - 0 1

INSTOW.

Provisional Order of the Board of Trade for the Construction, Maintenance, and Regulation of Docks at Instow, in the County of Devon.

Whereas, under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the promoters of the North Devon Dock made application by a Memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, setting forth the necessity of a Dock at Instow, in the County of Devon, and praying their Lordships to approve of the project thus submitted, and to grant a Provisional Order for its execution, containing all such powers and privileges for the complete execution of the works, and for the levying of tolls, rates, and duties, not exceeding those in the Schedules to the advertise- Preamble.

ment published by them according to the requirements of the said Acts, and for the incorporation of a Company for the objects assigned:

And whereas the estimated expenditure on the proposed works is sixty thousand pounds and no more:

And whereas the promoters published the advertisements and deposited the documents which, by the last-mentioned Act, they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do, by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:—

North Devon Dock Company.

Incorporation of Company.

1. The following persons, namely, George Braginton, James Peard Ley, Thomas Burnard Chanter, and all other persons and corporations who have subscribed or may subscribe to the undertaking authorized by this Order, and their executors, administrators, successors, and assigns respectively, shall be and are hereby constituted into a Company for the purpose of making and maintaining the docks and works authorized by this Order, and for the other purposes of this Order; and for those purposes shall be and are hereby incorporated by the name of The North Devon Dock Company; and by that name shall be one body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold and dispose of lands and other property, for the purposes but subject to the restrictions of this Order.

Undertakers.

2. The North Devon Dock Company, herein-after called the Company, shall be the undertakers of the works authorized by this Order.

Incorporation of Companies Clauses Act.

3. The Companies Clauses Consolidation Act, 1845, shall be incorporated with this Order.

Capital.

4. The capital of the Company shall be the sum of sixty thousand pounds, in six thousand shares of ten pounds each. Of that sum forty thousand pounds shall be deemed the capital for the purposes of the wet dock authorized by this Order, and twenty thousand pounds shall be deemed the capital for the purposes of the other works authorized by this Order. But nothing in the present provision shall be taken to affect the dividends to be from time to time made by the Company.

Calls.

5. No call shall exceed two pounds ten shillings per share, or be made payable within three months of any previous call.

Borrowing, for wet dock.

6. For the purposes of the wet dock, the Company may, with the sanction of a General Meeting of the Company specially convened, borrow on mortgage or bond, at interest, from time to time, for periods not exceeding ten years, such sums of money, not exceeding in the whole the sum of twenty thousand pounds, as may from time to time be required; but no money shall be so borrowed

borrowed until the whole of the capital sum of forty thousand pounds is subscribed for or taken, and until one-half thereof is paid up, and until the Company proves to the Justice who is to certify under The Companies Clauses Consolidation Act, 1845, section 40, before he so certifies, that all such capital has been subscribed for bonâ fide, and is held by subscribers or their assigns legally liable for the same.

Borrowing, for other works.

7. For the purposes of the works other than the wet dock, the Company may, with the sanction of a General Meeting of the Company specially convened, borrow on mortgage or bond, at interest, from time to time, for periods not exceeding ten years, such sums of money, not exceeding in the whole the sum of ten thousand pounds, as may from time to time be required; but no money shall be so borrowed until the whole of the capital sum of twenty thousand pounds is subscribed for or taken, and until one-half thereof is paid up, and until the Company proves to the Justice who is to certify under The Companies Clauses Consolidation Act, 1845, section 40, before he so certifies, that all such capital has been subscribed for bonâ fide, and is held by subscribers or their assigns legally liable for the same.

Power to create preference shares.

8. The Company may, by the resolution of a General Meeting specially convened, such resolution being adopted by not less than three-fifths in value of the shareholders present in person or by proxy at the meeting, direct that the holders of any portion not exceeding one-third part of the shares then subscribed for or taken shall be entitled to dividend at a rate to be prescribed by such meeting, not exceeding five per centum per annum, in priority to the other holders of shares in the capital of the Company.

Receiver.

9. The mortgagees of the Company may enforce the payment of the arrears of interest, or the arrears of principal and interest, due on their respective mortgages, by the appointment of a receiver. The amount to authorize a requisition for a receiver shall be one thousand pounds.

No interest or dividend on calls.

10. The Company shall not, out of any money raised by calls or borrowing, pay interest or dividend to any shareholder on the amount called up in respect of shares held by him; but this provision shall not prevent the Company paying to any shareholder such interest on any money advanced by him beyond the amount of the calls actually made, as may be in conformity with the provisions of The Companies Clauses Consolidation Act, 1845.

Money not to be used for deposit under Standing Orders, &c.

11. The Company shall not, out of any money so raised, pay or deposit any money that may be required to be paid or deposited in relation to any application to Parliament or the Board of Trade.

Money to be applied to purposes of Order.

12. Every part of the money so raised shall be applied only for purposes authorized by this Order.

First General Meeting.

13. The first General Meeting of the Company shall be held within six calendar months after the passing of an Act of Parliament confirming this Order, at such time and place as the Directors determine.

Number of Directors.

14. The number of Directors shall not be more than nine or less than five.

Quorum of Directors.

15. The quorum of a meeting of Directors shall be three.

First Directors.

16. The three persons herein-before named may nominate the persons who shall, either conjointly with themselves, or any of them, or otherwise, be the first Directors of the Company; and the Directors so nominated shall continue in office till the first General Meeting of the Company.

Qualification.

17. The qualification of a Director elected by the shareholders, or nominated as aforesaid, shall be the holding in his own right of not less than twenty-five shares in the capital of the Company.

Remuneration.

18. The remuneration of the Directors shall from time to time be fixed by a General Meeting, and shall be divided among the Directors in such manner as they determine. Until any other remuneration is fixed in manner aforesaid, the remuneration of the Directors shall be after the rate of five hundred pounds per annum.

Lands.

Power to take specified lands by agreement.

19. For the purposes of the works authorized by this Order, the Company may, from time to time, by agreement, enter on, take, or use, all or any part of the land shown on the deposited plans as intended to be taken for the purposes of the proposed docks and works.

Incorporation of Lands Clauses Acts.

20. The Lands Clauses Consolidation Act, 1845, except with respect to the purchase and taking of land otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order,

Works.

Power to make works.

21. Subject to the provisions of this Order, the Company may on the lands taken by them under this Order, and in the lines, and according to the levels, and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description Docks.

22. The works authorized by this Order comprise the following:—

A wet dock and a dry dock, graving dock, wharves, piers, jetties and excavations, warehouses and buildings, suitable for the reception of ships and vessels, and the carrying on of trade and business to be induced thereby, and all other works incidental to the matters aforesaid.

Rates.

Power to take rates in Schedules.

23. The Company may demand and receive in respect of the vessels, goods, persons, and things in the Schedules hereto described, any sums not exceeding the rates in those Schedules specified.

Exemption of Custom House Officers from rates

24. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress into, through, and out of, the docks and works by land, and with their vessels and otherwise, without payment.

Application of rates.

25. The rates received under this Order shall be applicable for the purposes and in the order following, and not otherwise:

(1.) To the maintenance of the works authorized by this Order.

(2.) In payment of the interest accruing on any money borrowed under the authority of this Order, and in repayment of the principal of such money.

(3.) To the use and for the purposes of the Company.

General Provisions.

Steam engines, lighters, &c.

26. The Company may provide such steam engines, steam vessels, piling-engines, diving bells, ballast lighters, rubbish lighters, and other machinery and vessels, as they think necessary for carrying on the business of the Company, or for effectuating any of the purposes of this Order, and may demand and receive such sums for the use thereof as they think reasonable.

27. The

27. The Company shall have the appointment of meters and weighers within the docks and property of the Company. Meters and weighers.

28. The limits within which the lawful authority of the dockmaster for the regulation of the docks may be exercised, shall be the docks, works, and property of the Company, and a distance of one hundred yards in each direction therefrom respectively. Limits of dockmaster's authority.

29. The Company shall not purchase for extraordinary purposes lands exceeding in extent, in the whole, five acres. Lands for extraordinary purposes.

30. The Company shall be a Pilotage authority within the meaning of The Merchant Shipping Act, 1854, with all the powers conferred by that Act on Pilotage authorities. Pilotage.

31. Notwithstanding anything in The Harbours, Docks, and Piers Clauses Act, 1847 (for all the purposes of which Act this Order shall be deemed "the Special Act"), it shall not be necessary for the Company to provide any life-boat, mortar, rockets, tide gauge, or barometer, except on a requisition in that behalf by the Board of Trade. Life boats, tide gauges, &c.

32. This Order may be cited as The North Devon Dock Order, 1863. Short Title.

Board of Trade, Whitehall.

Dated this 9th day of April 1863.

(Signed) T. H. Farrer,
Assistant Secretary.

SCHEDULE (A.)

Rates on Vessels.

Steam Vessels.

	s.	*d.*
For every steam vessel entering, and for every steam vessel leaving the dock, per ton - - - - - - - -	0	8

Sailing Vessels.

For every vessel entering the Dock with cargo from, and for every vessel leaving the Dock with cargo for, any port in the United Kingdom, Isle of Man, Jersey, Guernsey, Alderney and Sark, per ton - - - - - - - - -	0	4
For every vessel entering the Dock with cargo from, and for every vessel leaving the Dock with cargo for, any port in Europe between the North Cape and Cape Finisterre, per ton - - - -	0	6
For every vessel entering the Dock with cargo from, and for every vessel leaving the Dock with cargo for, any other port in Europe and the Mediterranean, per ton - - - - -	0	8
For every vessel entering the Dock with cargo from, and for every vessel leaving the Dock with cargo for, any other foreign port per ton - - - - - - - - -	0	9
For every vessel entering the Dock light or in ballast, and for every vessel leaving the Dock light or in ballast, per ton - - -	0	4
For every vessel entering the Dock laden and departing without breaking bulk, per ton - - - - - - - -	0	6

	s.	d.
For every vessel which shall remain in Dock, or lie alongside, or use any wharf, pier, breakwater, or landing place belonging to the Company, for any longer time than four weeks, provided such vessel shall not be prevented from leaving the same by an embargo or by stress of weather; for every week beyond the said period of four weeks the additional rate per ton of - - - - - - -	0	2

SCHEDULE (B.)

Rates on Goods.

Ale, beer, porter, or cider, per butt - - - - - -	0	4
,, ,, per hogshead - - - - -	0	2
,, ,, per barrel - - - - -	0	1
,, ,, per 3 dozen hamper - - -	0	2
,, ,, per kilderkin - - - -	0	1
Alum, per ton - - - - - - -	0	8
Anchors, per cwt. - - - - - - -	0	1
Ashes, per ton - - - - - - -	0	8
Bacon or hams, per cwt. - - - - - -	0	1
Bags (empty), per bundle - - - - - -	0	1
Bales and chests (drapery), large - - - - -	0	3
,, ,, small - - - - -	0	2
Baskets (empty), per dozen - - - - - -	0	3
Beds, each - - - - - - -	0	3
Bedsteads, each - - - - - - -	0	2
Bellows, large, each - - - - - -	0	3
,, small, per bundle - - - - - -	0	1
Birds—Pigeons, per dozen - - - - -	0	2
,, Quails, per dozen - - - - - -	0	3
,, Partridges, each - - - - - -	0	0½
,, Pheasants, each - - - - - -	0	1
Biscuits, per bag - - - - - - -	0	1
Books, per cwt. - - - - - - -	0	1
Bottles (empty), per hamper - - - - -	0	1
Bran, per ton - - - - - - -	0	8
Brass wire, per ton - - - - - -	1	0
Bricks or tiles, common, per 1,000 - - - - -	1	0
,, scouring, per 1,000 - - - - -	1	6
,, fire, per 1,000 - - - - - -	2	0
,, Bath, per 100 - - - - - -	0	6
,, paving, and kiln tiles, per 100 - - - -	0	6
Brimstone, per ton - - - - - -	0	8
Brooms, per dozen - - - - - - -	0	1
Butter, per firkin - - - - - - -	0	1
Candles, per cwt. - - - - - - -	0	1
Canvas, large bolt of, No. 1, 2, 3 - - - - -	0	2
,, small bolt of - - - - - - -	0	1
Carriages—4-wheels, each - - - - - -	1	6
,, 2-wheels, each - - - - - -	1	0
,, Railway, each - - - - - -	5	0
,, Harrows or ploughs, each - - - -	0	6
,, Thrashing machines, each - - - -	2	6
,, Other machines, each - - - - -	0	6
Casks (empty), each - - - - - - -	0	1
Cattle—Horses, each - - - - - - -	1	0
,, Oxen, cows, and bulls, each - - - - -	0	6

	s.	d.
Cattle—Ponies, mules, and asses, each	0	6
„ Calves, each	0	2
„ Lambs and sheep, each	0	1
„ Pigs, each	0	1
Cement, or plaster of Paris, per barrel	0	2
„ „ per half or quarter barrel	0	1
„ or Roman earth, per ton	0	3
Chairs, per dozen	0	4
Chalk, per ton	0	1
Cheese, per ton	0	8
Clay, per ton	0	1
Coal, culm, or stone coal, per ton	0	2
Coffee, per ton	1	0
„ per bag	0	1
Copper ore, per ton	0	8
Copper, or brass, or battery, per ton	1	0
Cordage, new, not in use, per cwt.	0	2
„ old, not in use, per cwt.	0	1
Corkwood, per ton	1	0
Corks, per bag	0	1
Corn—wheat, barley, oats, malt, rye, beans, peas, tares, and seeds of every denomination, per quarter	0	2
Cotton, per bale	1	0
„ per bag	0	3
Currants, per cwt.	0	1
Deals, per 120	1	0
Deal ends, per 120	0	4
Dogs, each	0	1
Drugs, hamper or box, each	0	2
Earthenware, large crate of	0	4
„ small crate of	0	2
Eggs, per chest	0	2
Engines, locomotives, each	20	0
Feathers, per cwt.	0	3
Figs, per cwt.	0	1
Fish, salted, per cwt.	0	1
„ fresh, per cwt.	0	1
Flour or meal, per ton	0	8
„ per sack	0	1
„ per barrel	0	1
Fruit—Apples or pears, per bushel	0	1
„ Plums or cherries, per bushel	0	1
„ Grapes, per cwt.	0	1
„ other fruit, per chest, bag, or basket	0	1
Furniture or goods, large package	0	6
„ middle package	0	4
„ small package	0	3
Glass or china, per hogshead	0	9
„ per tierce	0	4
„ per crate	0	3
„ Window glass, per side	0	2
Glue, per cwt.	0	1
Grass or Stoves, large, each	0	6
„ middle, each	0	4
„ small, each	0	2
Gravel, per ton	0	2
Grindstones, per foot diameter	0	1
Greaves, per ton	1	0

	s.	*d.*
Guano, per ton	0	9
Gunpowder, per barrel	0	2
Hardware, per hamper	0	2
Hair, per ton	1	0
„ large, per bag	0	2
„ small, per bag	0	1
Hampers (empty), per dozen	0	1
Hares, each	0	1
Hats, per box	0	2
Hay, per ton	0	8
Hemp, per ton	1	0
„ per bundle	0	1
Hides, per ton	0	10
Honey, per cwt.	0	1
Hoops, wooden, per bundle	0	1
„ iron, per cwt.	0	1
Hops, per bag	0	2
Indigo, per chest	1	0
„ per seron	0	4
Iron—Bar, bolt, pig, wrought, or iron wire, per ton	0	6
„ Cast guns, gun carriages, or shot, per ton	1	0
„ Broken, bushel, or ballast, per ton	0	6
„ Cinders, per ton	0	3
„ Ore, per ton	0	4
Ironmongery, per hogshead	0	6
„ per tierce	0	4
„ per barrel	0	2
„ per box or keg	0	1
Kelp, per ton	0	8
Lathwood, per fathom	0	6
Laths, per dozen bundles	0	1
Lead—Pig or sheet, or lead shot, per ton	1	0
„ White or red, per ton	1	0
„ Ore, per ton	0	6
Leather, per ton	1	8
Lime, per chaldron	0	6
Limestone, per ton	0	2
Loam, per ton	0	3
Logwood, per ton	1	6
Manure, per ton	0	1
Marble, per ton	0	8
Mast, yard, or bowsprit—6 in. and under 8 in., each	0	3
„ 8 in. and under 12 in., each	0	6
„ 12 in. and upwards	1	0
Mats, per 1,000	0	2
Meat, per cwt.	0	4
Molasses—juice or syrup, per ton	0	8
„ „ per hogshead	0	4
Music, large, per case	1	0
„ small, per case	0	6
Mustard, per keg	0	1
Nails—Copper or brass, per ton	1	8
„ Iron, per bag	0	1
Nuts, per bag	0	1
Oak, quarter, 100 feet in length	0	6
„ bark, per ton	1	0
„ knees, large, each	0	2
„ „ small, each	0	1
„ ash, elm, and fir plank, 100 feet superficial	0	6

	s.	d.
Oakum, per ton	0	8
Oil, per leager	0	9
„ per pipe	0	6
„ per hogshead	0	3
„ per barrel	0	2
„ per can	0	1
Oil cake, per ton	0	8
Oker, per cwt.	0	1
Oxbows, per dozen	0	1
Paint, common, per cwt.	0	1
Paper, per package	0	1
Parcels, large, each	0	2
„ small, each	0	1
Pepper, per bag	0	2
Pictures, under 2 feet square, each	0	3
„ 2 feet and under 4 feet, each	0	6
„ 4 feet and upwards, each	1	0
Pipe clay, per ton	0	3
Pitch, per barrel	0	1
Pitwood, sleepers, or poles, per ton	0	4
Plants or Trees, large, per bundle	0	3
„ small, per package	0	2
Pork or beef, per tierce	0	2
„ per barrel	0	2
„ per half barrel	0	1
Potatoes, per ton	0	8
Poultry—Geese, each	0	1
„ Turkeys, each	0	1
„ Dozen Fowls	0	2
„ Dozen Ducks	0	2
Rabbits, per score	0	2
Rags or Junk, per ton	0	8
Raisins, per cwt.	0	1
Rice, per ton	0	9
„ per bag	0	1
Rosin, per cwt.	0	1
Salt, per ton	0	6
Saltpetre, per ton	1	0
„ refined, per keg	0	1
Sand, per ton	0	2
Shoes and Boots, per hamper	0	2
Shumac, per bag	0	2
Slates, per ton	0	6
Soap, per chest	0	2
„ per box	0	1
Soda, per tierce	0	3
„ per cask	0	2
Spades and Shovels, per dozen	0	1
Starch, per chest	0	2
„ per box	0	1
Staves, per 100	0	3
Steel and Steel Ware, per ton	1	0
Stone—Bath or block, per ton	0	6
„ Paving, per ton	0	6
„ Millstones, large, each	0	4
„ „ small, each	0	1
„ other stone, per ton	0	2
Straw, per ton	0	8

	s.	d.
Sugar, per hogshead	0	6
„ per tierce	0	4
„ per barrel	0	1
„ per bag	0	1
Tallow, per hogshead	0	4
„ per cask	0	3
Tar and Turpentine, per barrel	0	1
Tea, per chest of 112 lbs.	0	3
„ per half chest	0	2
„ per quarter chest	0	1
Timber (Oak, Ash, Elm, Fir, or other timber), per ton	0	8
Tin Ore, per ton	1	0
„ Barrel or Block, each	0	2
Tin Plates, per ton	0	8
„ per box	0	1
Tobacco, per hogshead	0	8
„ per chest	0	2
„ per box under 56 lbs	0	1
Varnish, per cask	0	2
„ „ small	0	1
Vegetables, sack or hamper, each	0	1
Vinegar, per pipe	0	6
„ per hogshead	0	3
„ per barrel	0	2
Vitriol, per carboy	0	2
Whiting, per hogshead	6	6
„ per tierce	0	3
„ per barrel	0	2
„ per firkin	0	1
Wines or spirits, per pipe	1	0
„ per puncheon	0	9
„ per hogshead	0	6
„ per quarter pipe	0	4
„ casks, cases, or hampers, each	0	2
Wool, mill, puff, and yarn, per ton	1	0
„ per pack	0	2
Zinc, per cwt.	0	1

And so on in proportion for any greater or lesser quantities.

And for all other goods, wares, merchandize, and other things not enumerated above, a reasonable charge.

SCHEDULE (C.)

For every passenger who shall land from any steam or other vessel or boat in or upon the works of the Company or any part thereof, or embark therefrom on board any steam or other vessel or boat	0	2
For every trunk, portmanteau, box, parcel or other package, falling within the description of luggage that shall be shipped from or landed in or upon such works, not exceeding the weight of 28 lbs., each	0	2
If exceeding 28 lbs., and not exceeding 84 lbs., each	0	4
„ 84 lbs., „ 112 lbs., each	0	5
„ 112 lbs., „ 140 lbs., each	0	6
„ 140 lbs., „ 196 lbs., each	0	7
„ 196 lbs., „ 2 cwt., each	0	8
If amounting to or exceeding 2 cwt., for every 1 cwt.	0	4
And for every 20lbs. weight in addition	0	1
But if the same shall be placed on a barrow or truck, then for any quantity of luggage belonging to one person and contained in any one barrow or truck, and not exceeding the weight of 140 lbs.	1	0

BANGOR.

Provisional Order of the Board of Trade for the Improvement, Maintenance, and Regulation of the Harbour of Bangor, in the County of Down.

Whereas under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, Robert Edward Ward, of Bangor Castle, in the county of Down, Esquire, as owner of the Port of Bangor in the said county, made application by memorial to the Lords of the Committee of Her Majesty's Most Honorable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, praying the Board of Trade to make a Provisional Order under the said Acts, and thereby to empower the said Robert Edward Ward, as promoter, to execute the works herein-after mentioned at the Port and Harbour of Bangor aforesaid, and also to levy and recover harbour rates and duties according to the Schedule annexed to the said memorial, and also to borrow a sum not exceeding five thousand pounds on the security of the said rates for the construction of such new works as aforesaid: Preamble.

And whereas the estimated expenditure on the said works is Five thousand pounds and no more:

And whereas the promoter published the advertisements and deposited the documents which he was by the last-mentioned Act required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a bill to be introduced into Parliament for the purpose of obtaining an Act for confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do, by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:—

1. The said Robert Edward Ward and his successors, owners of the Harbour of Bangor for the time being, shall be the undertakers of the works authorized by this Order. Undertakers.

2. For the purposes of the works authorized by this Order the undertakers may from time to time, by agreement, enter on, take, or use, all or any part of the lands shown on the deposited plans, as intended to be taken for the purposes of the proposed works. Power to take specified lands.

3. The Lands Clauses Consolidation Act, 1845, except with respect to the purchase and taking of land otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order. Incorporation of Lands Clauses Acts.

Power to make works.

4. Subject to the provisions of this Order, the undertakers may, on the lands taken by them under this Order, and on the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of works.

5. The works authorized by this Order comprise the following :—

To widen the existing Pier on the north side and build an extension to it in a westerly direction, to be constructed of stone or wood at the option of the undertakers; also to repair the said Pier, and to repair and deepen the inside of the Harbour.

Power to take rates in Schedule.

6. From and after the completion of the proposed works (of which completion a certificate signed by the Chairman of the Quarter Sessions having jurisdiction at the Port of Bangor shall be conclusive evidence, which certificate such Chairman shall sign and give on being satisfied of such completion,) the undertakers may demand and receive in respect of the vessels, goods, and things described in the Schedule hereto, as well at the present Pier, wooden jetty, and other existing works, as also at the proposed works when completed, any sums not exceeding the rates in that Schedule specified; but nothing in this Order shall prevent the undertakers from taking at the existing works, before the completion of the proposed works, any rates which they would have been entitled to take there if this Order had not been made.

Exemption of Custom House Officers.

7. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress, on, into, along, through, and out of the Pier and Harbour by land, and with their vessels and otherwise without payment.

Borrowing power.

8. The undertakers may borrow on mortgage or bond at interest such sum or sums of money as may be required for the purposes of the works authorized by this Order, not exceeding in the whole the sum of five thousand pounds. They shall regularly keep down the interest accruing on the money so borrowed, and shall not allow such interest to accumulate, and shall repay the money borrowed within fifty years from the time of borrowing.

Application of receipts.

9. The rates received under this Order shall be applicable for the purposes and in the order following, and not otherwise :—

(1.) In paying the expenses of and connected with the applying for obtaining and making of this Order:

(2.) In paying the expenses of the maintenance, management, and regulation of the existing Harbour and works, and of the new works authorized by this Order:

(3.) In paying the interest on any money borrowed under this Order, and in or towards re-payment of the principal of such money:

(4.) And as to the surplus revenue of the Harbour, that is to say, so much of the rates as may remain after answering the three several purposes aforesaid, the same shall be applicable by the undertakers to and for their own proper use and benefit.

Exception of parts of Harbours Clauses Act.

10. The following provisions of The Harbours Docks and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections 16, 17, 18, 19, 25, 26, 49, and 50.

Meters and weighers.

11. The undertakers shall have the appointment of meters and weighers within the Harbour.

12. The

12. The undertakers may provide such steam engines, steam vessels, piling engines, diving bells, ballast lighters, rubbish lighters, and other machinery and vessels as they think necessary for effectuating any of the purposes of this Order, and may demand and receive such sums for the use of the same as they think reasonable. Provision of engines, lighters, &c.

13. The undertakers shall be a pilotage authority, and a local authority within the meaning of The Merchant Shipping Act, 1854, and Acts amending the same, with all the powers thereby conferred on pilotage authorities and on local authorities. Pilotage and lights, buoys, and beacons.

14. This Order may be cited as The Bangor Harbour Order, 1863. Short title.

Board of Trade, Whitehall.
Dated this 10th day of April 1863.

(Signed) T. H. Farrer,
Assistant Secretary.

SCHEDULE referred to in the foregoing Order.

I.—Rates on Vessels entering or using the existing Harbour, Landing Stage, or New Works.

		s.	*d.*
For every passenger steamer plying between Bangor and Belfast, or between Bangor and any place situate as near to Bangor as Belfast is, or nearer,—for each trip	per register ton	0	0½
For every other vessel	per register ton	0	2

All pleasure boats, boats entirely open, and fishing boats exempt.

II.—Rates on Goods shipped or unshipped, received or delivered, within or at the Existing Harbour, or Landing Stage, or at the New Works.

		s.	*d.*
Bricks	per ton	0	1½
Cattle—bulls, cows, oxen, and horses	each	0	1
Cattle—calves, pigs, sheep, and lambs	per score	0	3
Clover seed	per sack	0	1½
Coals	per ton	0	1½
Deals	per 120	1	0
Flour	per ton	0	3
Potatoes	per ton	0	3
Gunpowder	per barrel	0	0½
Iron	per ton	0	1½
Lead or other ores	per ton	0	3½
Meal	per ton	0	1½
Salt rock	per ton	0	1
Slates	per ton	0	1½
Stones (other than limestone)	per ton	0	1½
Tiles	per 1,000	0	4
Timber of all kinds, except deals	per load of 50 feet	0	2

All other Goods not particularly enumerated above, except limestone.

		s.	d.
Light goods	per barrel bulk	0	1
Heavy goods	per ton	9	2

In charging the rates on goods, the gross weight or measurement of all goods to be taken; and for any less weights, measures, and quantities than those above specified, a proportion of the respective rate shall be charged.

Five cubic feet, not exceeding $2\frac{1}{2}$ cwt. to be rated as a barrel bulk; but when the weight of five cubic feet is greater than $2\frac{1}{2}$ cwt., then $2\frac{1}{2}$ cwt. to be rated as a barrel bulk.

III.—Rates for the Cranes, Weighing Machines, and Sheds provided at the existing Harbour, Landing Stage, or New Works.

First.—Rates of Craneage.

		s.	d.
All goods or packages not exceeding	1 ton	0	$1\frac{1}{2}$
Exceeding 1 ton and not exceeding	2 tons	0	2
Exceeding 2 tons and not exceeding	3 tons	0	3
Exceeding 3 tons and not exceeding	4 tons	0	4
Exceeding 4 tons and not exceeding	5 tons	0	5
Exceeding 5 tons and not exceeding	6 tons	0	6
Exceeding 6 tons		0	7

Second.—Weighing Machines.

For goods weighed 1*d.* for each ton or part of a ton.

Third.—Shed Dues.

For each ton of goods of 8 barrels bulk, or for each ton of goods of 20 cwt. which shall remain in the sheds or on the quays of the harbour for a longer time than 48 hours, the sum of 3*d.*, and the sum of $1\frac{1}{2}$*d.* per ton for each day during which such goods shall remain after the first 48 hours.

CHATHAM.

Provisional Order of the Board of Trade for the Purchase, Maintenance, and Regulation of the Chatham Sun Pier, at Chatham, in the County of Kent.

Preamble.

Whereas under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, application was made by or on behalf of the promoters of the undertaking herein-after mentioned by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council, appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, representing that the pier called the Chatham Sun Pier was then a private pier, over which there were no public rights, but that the use thereof by the public was permissive only upon payment of certain rates of charge, variable at discretion by the owner of such pier for the time being; that it would be of public advantage if such pier were vested in a duly constituted public body, and were made a public pier, subject to legal rates of charge, and to such restrictions and regulations as the situation

situation and mode of construction of such pier might render expedient; and that the same could be then purchased by or on behalf of the Local Board of Health for the district of Chatham Extra, in the county of Kent, on reasonable terms; and application was thereby made to the Board of Trade, among other things, to make a Provisional Order, and thereby to empower the Local Board of Health to purchase by voluntary contract, and to hold to them and their successors as a Corporation, and to maintain, the pier, with the entrance and right of approach, and other accommodations or interests in or in connexion with it; and also to empower the Local Board of Health and their successors to levy rates and to raise money by mortgage of the pier and rates, or otherwise, with such other provisions in connexion with or for the promotion of the objects of that application as the Board of Trade might deem expedient:

And whereas the estimated expenditure for the purposes by the said memorial proposed to be effected is Two thousand pounds and no more:

And whereas the promoters published the advertisements and deposited the documents which by the last-mentioned Act they were required to publish and deposit:

And whereas the Board of Trade after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:—

Incorporation of Local Board of Health for purposes of the Order.

1. The Local Board of Health for the district of Chatham Extra, in the county of Kent, and their successors in office, herein-after called The Local Board, shall be and are hereby incorporated for the purposes of this Order by the name of The Local Board of Health for the District of Chatham Extra, with perpetual succession and a common seal, with power to purchase, take, hold, and dispose of lands and other property for the purposes, but subject to the restrictions, of this Order.

The undertakers.

2. The Local Board shall be the undertakers of the works hereby authorized to be purchased by them.

General funds of Local Board not applicable for purposes of Order.

3. No rates or funds by law authorized to be levied by or otherwise vested in the Local Board, other than the money and rates which may be levied or received by them under or by the effect of this Order, shall be applicable for any purpose hereby authorized: but, subject to this restriction, and any other provisions of this Order, and any Acts incorporated herewith, the powers and functions hereby vested in the Local Board shall be exercised and carried into effect by them as part of their general powers and functions, and with and subject to the like privileges, indemnities, and regulations.

Power to purchase Pier.

4. For the purposes of this Order, the Local Board may purchase, by agreement, by or out of the funds hereby authorized to be raised by them, and shall afterwards maintain, the pier commonly called the Sun Pier, situate within the aforesaid

aforesaid district of Chatham Extra, and extending from a place in Chatham Extra known as the Roadway to the Town Quay, into the River Medway, with the entrance and right of approach to such pier, and any other accommodations or interests in or in connexion with such pier, and all fixtures, fittings, and things in, upon, or about the same.

Lands Clauses Acts incorporated.

5. The Lands Clauses Consolidation Act, 1845, except with respect to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order.

Lands for extraordinary purposes.

6. The Local Board shall not purchase for extraordinary purposes lands exceeding in the whole one acre.

Incorporation of parts of Commissioners Clauses Act, 1847.

7. The Commissioners Clauses Act, 1847, except the following sections thereof, namely sections 6 to 55, both inclusive, and section 84, shall be incorporated with this Order.

Borrowing.

8. The Local Board may borrow on mortgage, or on bond or debenture, at interest, on the security of the Pier and property to be purchased by them under this Order, or of the rates to be levied by them under this Order, or of both, any sums of money which may be required for the purposes authorized by this Order, not exceeding two thousand pounds.

Receiver.

9. The mortgagees of the Local Board may enforce the payment of the arrears of interest, or of the arrears of principal and interest, due on their respective mortgages, by the appointment of a receiver. The amount to authorize a requisition for a receiver shall be two hundred pounds.

Sinking Fund.

10. In order to create a sinking fund for the discharge of the principal money so borrowed, the Local Board shall yearly set apart the surplus revenue arising from the Pier, and shall from time to time cause the same to be invested in the purchase of Exchequer Bills or other Government securities, and to be increased by way of accumulation until the same shall be of sufficient amount to pay off the principal debt, or any part thereof, which the Local Board may think ought to be then paid, and then the same shall be applied in such payment.

Re-borrowing.

11. Any money borrowed under this Order, and discharged by means of the sinking fund, shall not be re-borrowed; but any money borrowed and discharged by any means other than the sinking fund may be re-borrowed, and so toties quoties.

Money to be applied to purposes of Order.

12. Every part of the money borrowed under this Order shall be applied only for the purposes authorized by this Order.

Power to take rates according to Schedule to this Order.

13. The Local Board may demand and receive, in respect of the persons, animals, fish, meat, poultry, game, goods, and things in the Schedule hereto described, any sums not exceeding the rates in that Schedule specified.

Exemptions from rates.

14. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress on, into, along, from, and out of the Pier by land, and with their vessels and otherwise, without payment; and all persons using the Pier while acting in the employment or service (whether naval, military, or civil) of Her Majesty, and for the purpose of such employment or service, and also all persons landing at the Pier from or requiring access by means thereof to any boat or vessel belonging to Her Majesty, and then lying within the prescribed limits, or using the Pier on business of Her Majesty for the purpose of access to or return from Her Majesty's Dockyard at Chatham, shall not in respect of such user be charged with any such rate as would be otherwise payable.

15. The

15. The Company may grant to passengers and promenaders or others pass-tickets for the use of the Pier, on such terms, and for such a period, not exceeding one year, as may be agreed upon; but so that no preference be given to any person. Such a pass-ticket shall not be transferable, and shall not be used by any person except the person for whom it is granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit pass-ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under The Harbours, Docks, and Piers Clauses Act, 1847.

Company may contract with persons for the use of the Pier.

Pass tickets not to be transferable.

16. No article or goods which alone, or as a single package, or other aggregate, exceeds in weight four hundred and forty-eight pounds, and no animal which singly exceeds that weight, shall be shipped or unshipped at or otherwise brought upon the Pier, except under and subject to the terms of any special arrangement in that behalf with the Local Board.

Limitation of weight of goods and animals.

17. The Local Board shall, as soon as may be after purchasing the Pier, continue the old Hardway from its present termination up to the Town Quay, the construction of the new portion to correspond with that of the old. The Local Board shall not take any rates until they have so completed the continuation of the Hardway, of which completion a certificate under the hand of the Chairman of the Quarter Sessions for the county of Kent shall be conclusive evidence; and such Chairman shall sign such certificate on proof being adduced to him of such completion.

Time at which liability to rates is to commence.

18. The following sections of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order—namely, sections 16 to 19, both inclusive, and sections 25 and 26; and for all the purposes of this Order, the term "the Special Act" in that Act shall mean this Order, and the term "the prescribed limits" in that Act and this Order shall include the Pier and works hereby authorized to be purchased, and the space of seven yards in the River Medway, in front of the whole length of the landing stage at the head of the Pier.

Certain clauses of Harbours, &c., Clauses not incorporated.

"Prescribed limits" defined.

19. The Local Board shall apply all rates received under this Order for the purposes and in the order following, and not otherwise:—

Application of rates.

(1.) In paying the costs of and connected with the preparation and making of this Order.

(2.) In paying the expenses of the maintenance, management, and regulation of the pier and works hereby authorized to be purchased, and all other outgoings in respect thereof.

(3.) In paying the interest on any money borrowed under this Order, and any sum payable on account of the principal thereof.

(4.) As to the surplus revenue arising from the Pier, that is to say, any surplus of such rates for the time being, remaining after the making of the payments herein-before directed,—in creating a sinking fund in manner in this Order specified.

20. The Local Board shall constitute the Harbour Authority for or in connexion with the Pier, within the prescribed limits.

Harbour authority.

21. The Local Board shall have the appointment of meters and weighers on the Pier.

Meters and weighers.

22. Part V. of The Harbours and Passing Tolls, &c., Act, 1861, shall apply to the Pier.

Part V. of 24 & 25 Vict. c. 47. to apply.

Saving for rights of Corporation of Rochester.

23. Nothing in this Order shall prejudice or derogate from such of the rights, powers, liberties, jurisdictions, authorities, dues, franchises, and privileges, of the Mayor and Corporation of the City of Rochester, or their successors, as are not inconsistent with or contrary to the provisions of this Order.

Short Title.

24. This Order may be cited as The Chatham Sun Pier Order, 1863.

Board of Trade, Whitehall.
Dated this 10th day of April 1863.

(Signed) T. H. Farrer,
Assistant Secretary.

SCHEDULE.

I. Rates on Passengers Landing on or Embarking from the Pier.

	s.	*d.*
For every passenger or other person who shall land on the said pier from, or embark from it on board of, any ship, vessel, packet, passage or pleasure boat, for each and every time any sum not exceeding	0	1

II. Rates on Animals, Fish, Meat, Poultry, Game, and Goods Shipped or unshipped at the Pier.

1. *Animals.*

For every calf, sheep, goat, hog, or other animal of the weight of forty-eight pounds or upwards	0	3
For every lamb, kid, pig, or other animal under the weight of forty-eight pounds	0	2

2. *Fish.*

For every score of fresh cod, skait, or ling	0	3
For every separate quantity, or distinct package, barrel, or cask of dried or cured fish of any kind and of any weight,		
Not exceeding twenty-eight pounds	0	1
Exceeding twenty-eight pounds and not exceeding fifty-six pounds	0	2
Exceeding fifty-six pounds and not exceeding one hundred and twelve pounds	0	3
Exceeding one hundred and twelve pounds, and not exceeding two hundred and twenty-four pounds	0	4
Exceeding two hundred and twenty-four pounds, and not exceed-three hundred and thirty-six pounds	0	5
If exceeding three hundred and thirty-six pounds, then for every twenty-eight pounds, or part of twenty-eight pounds	0	1
For every score of haddock, codlings, mackerel, soles, lobsters, pound-crabs, or cray-fish	0	1
For every turbot, salmon, halibut, or sturgeon	0	1
For every score pounds of eels	0	1
For every bushel of oysters	0	1
For every kit of salmon	0	2
For every half-kit of salmon	0	1
For every half-bushel of fresh herrings or sprats, or of other fish not before specified	0	0½

3. *Meat.*	*s.*	*d.*
For every quarter of beef	0	3
For every carcase of mutton, veal, lamb, kid, or pork	0	2
For every quantity of meat cut up of any weight,		
Not exceeding twenty-eight pounds	0	1
Exceeding twenty-eight pounds and not exceeding fifty-six pounds	0	2
Exceeding fifty-six pounds and not exceeding one hundred and twelve pounds	0	3
Exceeding one hundred and twelve pounds and not exceeding two hundred and twenty-four pounds	0	4
Exceeding two hundred and twenty-four pounds and not exceeding three hundred and thirty-six pounds	0	5
If exceeding three hundred and thirty-six pounds, then for every twenty-eight pounds, or part of twenty-eight pounds	0	1

4. *Poultry and Game.*		
For every turkey, guinea-fowl, goose, pheasant, or hare	0	0½
For every pair of fowls, partridges, grouse, woodcocks, wild ducks, or rabbits	0	0½
For every half-dozen of pigeons or other birds not before specified	0	1½

5. *Goods.*		
For every pound weight of gunpowder	0	6
For every empty pipe, butt, puncheon, or other larger cask	0	3
For every empty smaller cask	0	2
For every separate article, basket, cask, package, or parcel of furniture, goods, wares, merchandize, matters or things whatsoever (not hereinbefore expressly named or provided for, and not being *bonâ fide* the personal luggage of and accompanying passengers landing on or embarking from the pier), of any weight,		
Not exceeding twenty-eight pounds	0	0½
Exceeding twenty-eight pounds and not exceeding fifty-six pounds	0	1
Exceeding fifty-six pounds and not exceeding one hundred and twelve pounds	0	2
Exceeding one hundred and twelve pounds and not exceeding two hundred and twenty-four pounds	0	3
Exceeding two hundred and twenty-four pounds and not exceeding three hundred and thirty-six pounds	0	4
If exceeding three hundred and thirty-six pounds, then for every twenty-eight pounds or part of twenty-eight pounds	0	1

BRAY.

Provisional Order of the Board of Trade for the Construction, Maintenance, and Regulation of a Pier and Harbour at Bray, in the County of Wicklow.

Whereas, under The General Pier and Harbour Act, 1861, and the General Pier and Harbour Act, 1861, Amendment Act, the promoters of the Bray Pier and Harbour made application by a memorial to the Lords of the Committee Preamble.

of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade, setting forth that the construction of a Pier, or Piers, so as to form a Harbour at Bray, in the County of Wicklow, which could be used for the recreation of the inhabitants and visitors of that town, and for the embarking of passengers and other useful purposes, would be of great public and local advantage, and praying their Lordships to approve of the project thus submitted, and to grant a Provisional Order for its execution, containing powers and privileges for the complete execution of the works, and for the levying of rates and tolls, not exceeding those mentioned in the Schedule hereto annexed, and also for the incorporation of a Company:

And whereas the estimated expenditure on the proposed works is Twenty thousand pounds and no more:

And whereas the promoters published the advertisements and deposited the documents which, by the last-mentioned Act, they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:—

Bray Pier and Harbour Company.

Incorporation of Company.

1. The following persons, namely, The Honourable Francis Henry Needham, William Justin O'Driscoll, and Francis Reynolds, and all other persons and corporations who have subscribed or may subscribe to the undertaking by this Order authorized, and their executors, administrators, successors, and assigns respectively, shall be and are hereby united into a company for the purpose of making and maintaining the Pier and Harbour and Works by this Order authorized, and for the other purposes of this Order; and for those purposes shall be and are hereby incorporated by the name of The Bray Pier and Harbour Company; and by that name shall be one body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property, for the purposes, but subject to the restrictions, of this Order.

The undertakers.

2. The Bray Pier and Harbour Company, herein-after called the Company, shall be the undertakers of the works authorized by this Order.

Companies Clauses Act incorporated.

3. The Companies Clauses Consolidation Act, 1845, shall be incorporated with this Order.

Capital.

4. The capital of the Company shall be 20,000*l.* in 2,000 shares of 10*l.* each.

5. No

5. No call shall exceed 2*l.* per share; successive calls shall not be made at a less interval than three months. Calls.

6. The Company may, from time to time, borrow on mortgage or bond, at interest, such sums of money as may be required for the purposes of the works authorized by this Order; but no money shall be borrowed until the whole of the capital of 20,000*l.* is subscribed for or taken, and until one half thereof is actually paid up, and until the Company proves to the Justice who is to certify under The Companies Clauses Consolidation Act, 1845, section 40, before he so certifies, that all such capital has been subscribed for bonâ fide, and is held by subscribers or their assigns, and that such subscribers or their assigns are legally liable for the same (of which proof having been given, the certificate of such Justice under that section shall be sufficient evidence). Borrowing from time to time.

7. The mortgagees of the Company may enforce the payment of the arrears of interest, or of the arrears of principal and interest, due on their respective mortgages, by the appointment of a receiver. The amount to authorize a requisition for a receiver shall be 500*l.* Receiver.

8. The Company shall not out of any money raised by calls or borrowing pay interest or dividend to any shareholder on the amount of calls made in respect of shares held by him; but this provision shall not prevent the Company paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the provisions of The Companies Clauses Consolidation Act, 1845. No interest or dividend on calls

9. The Company shall not out of any money so raised pay or deposit any money that may be required to be paid or deposited in relation to any application to Parliament or the Board of Trade. Money not to be used for deposit under Standing Orders, &c.

10. Every part of the money so raised shall be applied only for purposes by this Order authorized. Money to be applied to purposes of Order.

11. The first general meeting of the Company shall be held within three months after the passing of an Act of Parliament confirming this Order. First general meeting.

12. The number of Directors shall be seven, with power to the Company to reduce the number, but not below five. Number of Directors.

13. The quorum of a meeting of Directors shall be three. Quorum of Directors.

14. The three persons herein-before named, and such four other persons as the said three persons, or any two of them, shall nominate, shall be the first Directors. First Directors.

15. The qualification of a Director elected by the shareholders, or nominated as aforesaid, shall be the possession in his own right of not less than twenty shares. Qualification of Directors.

Lands.

16. For the purposes of the works authorized by this Order, the Company may from time to time, by agreement, enter on, take, or use all or any part of the lands shown on the deposited plans as intended to be taken for the purposes of the proposed works. Power to take specified lands by agreement.

17. The Lands Clauses Consolidation Act, 1845, except with respect to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order. Lands Clauses Acts incorporated.

Land for extraordinary purposes.

18. The Company shall not purchase for extraordinary purposes lands exceeding in extent in the whole four acres.

Works.

Power to make works.

19. Subject to the provisions of this Order, the Company may, on the lands taken by them under this Order, and in the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans.

Description of Pier and Harbour.

20. The works by this Order authorized comprise the following :—

A Pier, or Piers, Harbour, and Works, partly above and partly below low-water mark, at or near the place on the shore called and known as Bray's Point, which said Pier, or Piers, Harbour, and Works, will commence on the headland to the north of, and about 160 yards from, the bridge over the Dublin, Wicklow, and Wexford Railway, and will be extended towards the sea in a north-easterly direction, and will be wholly situate in the townland of Newcourt, or being extra-parochial, adjacent thereto, in the parish of Bray and county of Wicklow, together with all necessary and convenient quays, wharfs, jetties, landing places, works, and conveniences connected therewith respectively.

Rates.

Power to take rates according to Schedule to this Order.

21. The Company may demand and receive in respect of the vessels, goods, persons and things in the Schedule hereto described, any sums not exceeding the rates in that Schedule specified.

Custom House Officers exempt from rates.

22. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress, on, into, along, through, and out of the Piers and Harbour, by land, and with their vessels, and otherwise, without payment.

Power for Company to contract with persons for the use of the Pier.

23. The Company may grant to foot passengers pass or return tickets for the use of the Piers and Harbour, on such terms and for such period, not exceeding one year, as may be agreed on, but so that no preference be given to any particular person. Such a pass or return ticket shall not be transferable, and shall not be used by any person except the person for whom it was granted, or by any person after the period limited for its use. If any person acts in any way in contravention of this provision, or uses or attempts to use any false or counterfeit ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings.

Further exemption from rates.

24. Persons *bonâ fide* engaged in launching any vessel for the purpose of going to the assistance of a vessel in distress, or persons landing from a vessel in distress, or a single parcel carried by any passenger landing at or embarking from the Piers and Harbour, shall be exempt from the payment of rates under this Order.

General Provisions.

Meters and weighers.

25. The Company shall have the appointment of meters and weighers on and within the Piers and Harbour.

Steam engines, diving bells, lighters, &c.

26. The Company may provide such steam engines, steam vessels, piling engines, diving bells, ballast lighters, rubbish lighters, and other machinery and vessels, as they think necessary for effectuating any of the purposes of this Order,

Order, and may demand and receive such sums for the use of the same as they think reasonable.

27. The Company shall be a pilotage authority and a local authority within the meaning of The Merchant Shipping Act, 1854, with all the powers by that Act conferred on pilotage authorities and on local authorities. Pilotage, lights, buoys, and beacons.

28. Part V. of The Harbours and Passing Tolls, &c. Act, 1861, shall apply to the Piers and Harbour authorized by this Order. Part V. of 24 & 25 Vict. c. 47. to apply

29. Sections 16, 17, 18, and 19, of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order. Life boats, tide gauges, &c.

30. This Order may be cited as The Bray Pier and Harbour Order, 1863. Short Title.

Board of Trade, Whitehall.
Dated this 13th day of April, 1863.

(Signed) T. H. Farrer,
Assistant Secretary.

SCHEDULE.

I.—Rates on Vessels using the Pier, or entering or using the Harbour.

		s.	*d.*
For every vessel under the burden of 15 tons	per ton	0	4
For every vessel of the burden of 15 tons, and under 50 tons	per ton	0	6
For every vessel of the burden of 50 tons, and under 100 tons	per ton	0	8
For every vessel of the burden of 100 tons, and under 150 tons	per ton	0	10
For every vessel of the burden of 150 tons, and upwards	per ton	1	0
All lighters for any vessel in the roads shall be exempt from rates; but if the vessel do not use the Pier, or enter or use the Harbour or precincts thereof, every lighter shall pay for each trip	per ton	0	2
All boats entirely open, landing or taking on board goods or dried or salted fish	each	0	6
All drave or large boats using the Pier, or entering or using the Harbour or Precincts thereof with fresh fish	each	0	4
For every vessel remaining in the Harbour or precincts thereof, more than one calendar month, for every ton register measurement		0	1

And every fraction of a calendar month over and above one calendar month shall be considered as one calendar month.

II.—Rates on Goods shipped or unshipped at the Pier or Harbour.

Ale	per hogshead	0	6
Ale (bottled)	per barrel bulk	0	3
Anchor	per cwt.	0	9
Anchor stock	per foot run	0	2
Bark	per ton	1	0
Bedding (seamen's)		0	3
Beef or pork	per ton	1	4
Beef or pork	per barrel	0	2
Blubber	per ton of 250 gallons	1	0

		s.	d.
Bone dust	per ton	0	8
Bones of cattle	per ton	0	6
Bottles	per gross	0	2
Bricks	per 1,000	0	8
Butter	per barrel	0	4
Casks (empty), not being returned packages	per puncheon	0	3
Other casks in proportion.			
Cattle:			
Bulls	each	0	3
Cows and oxen	each	0	2
Calves	each	0	0½
Horses	each	0	2
Pigs	each	0	0½
Sheep	per score	0	6
Lambs	per score	0	3
Chalk	per ton	0	8
Cheese	per cwt.	0	4
Chimney cans	per 100	1	4
Clay (fire, manufactured)	per ton	0	6
Clay (common)	per ton	0	2
Cloth, haberdashery, &c.	per barrel bulk	0	2
Coaches:			
Chaises and other four-wheeled carriages	each	0	8
Gigs, carts, and other two-wheeled carriages	each	0	6
Coals (Scotch, English, smithy, and culm)	per ton	0	4
Copper	per ton	1	4
Corks	per barrel bulk	0	2
Corn:			
Wheat and malt	per quarter	0	3
Barley, beans, peas, tares, oats, rye, buckwheat, and Indian corn	per quarter	0	2
Crystal	per barrel bulk	0	2
Dissolved bones and other artificial manures	per ton	0	8
Dogs (sporting only)	each	0	2
Drugs	per barrel bulk	0	3
Earthenware	per crate	0	8
Eggs	per barrel bulk	0	2
Fish (dried and salted)	per ton	1	4
Haddocks, cod, salmon, and all fresh fish not enumerated	per barrel bulk	0	2
Flax	per ton	1	4
Flour	per sack	0	2
Flour	per barrel	0	1½
Fruit	per bushel or sieve	0	2
Glass	per barrel bulk	0	3
Groceries, viz.:			
Almonds, figs, cinnamon, currants, pepper, pimento, plums, prunes, raisins, and the like	per barrel bulk	0	3
Guano	per ton	0	8
Gunpowder	per barrel	0	3
Hams, bacon, or tongues	per cwt.	0	3
Hardware	per barrel bulk	0	3
Hares and rabbits	per dozen	0	2
Any less quantity		0	1
Hay	per ton	0	8
Hemp	per ton	1	4
Herrings (fresh)	per cran	0	1
Herrings (cured)	per barrel	0	3

		s.	*d.*
Hides:			
Ox, cow, or horse (salted or dried)	per ton	1	4
Calf skins	per 120	0	10
Sheep skins	per 120	0	10
Lamb skins	per 120	0	5
Hoops of wood	per 1,500	1	0
Household furniture (new)	per barrel bulk	0	1
Household furniture (belonging to parties changing their residences only)	per 10 barrels bulk	0	6
Husbandry utensils	per ton	1	4
Husbandry utensils	per barrel bulk	0	2
Iron:			
Bar, bolt, and rod	per ton	1	4
Pig and old	per ton	0	8
Manufactured, cast, and wrought	per cwt.	0	2
Chain cables	per ton	1	4
Kelp	per ton	0	8
Lead (all kinds)	per ton	1	4
Leather (tanned and dressed)	per ton	1	4
Lime	per chaldron of 16 bolls	1	4
Limestone	per ton	0	3
Loam or moulding sand	per ton	0	3
Machinery	per ton	1	4
Machinery	per barrel bulk	0	3
Manure (street)	per ton	0	2
Masts and spars, 10 inches in diameter and upwards	each	4	6
Under 10 inches	each	3	0
Meal	per bag of 280 lbs.	0	2
Meat (fresh)	per ton	1	4
Meat (fresh)	per barrel	0	2
Milk	per 3 large pitchers	0	0½
Musical instruments	per barrel bulk	0	3
Oils	per ton	1	0
Ores:			
Copper, iron, lead, and other ores	per ton	0	8
Oysters	per bushel	0	3
Passengers' luggage, not exceeding 4 barrels bulk, free. All above 4 barrels bulk	per barrel bulk	0	3
Peats	per ton	0	3
Pitch	per barrel	0	3
Porter	per hogshead	0	4
Porter (bottled)	per barrel bulk	0	2
Potatoes	per ton	0	6
Poultry, including pigeons, game, &c.	per dozen	0	1
Any less quantity		0	0½
Rags (linen)	per ton	1	4
Other rags, old rope, and the like	per ton	0	10
Rape cakes	per ton	0	8
Salt	per ton	0	10
Seeds:			
Flax and rape	per hogshead	0	6
Flax	per barrel	0	3
Flax, in bulk	per quarter	0	2
Clover	per ton	1	4
Garden	per ton	1	4
Hemp and canary	per ton	1	4
Rye grass	per 8 bushel	0	2

		s.	d.
Shrimp baskets	each	0	2
Skin, seal	per 120	0	8
Slates, under size	per 1,000	0	6
Sizeable	per 1,000	0	10
Over size	per 1,000	1	4
Spirits (Foreign and British)	per hogshead of 56 gallons	0	8
Stones:			
Rubble	per ton of 16 cubic feet	0	2
Hewn ashlar freestone	per ton of 16 cubic feet	0	4
Rough ashlar freestone	per ton of 16 cubic feet	0	3
Pavement not exceeding 3 inches thick	per 70 feet	0	4
Pavement above 3 inches thick	per 16 cubic feet	0	4
Scythe stones	per score	0	1
Mill stones	each	0	8
Steel	per ton	1	4
Sugar	per ton	1	4
Tallow	per ton	1	4
Tar	per bushel	0	2
Tea	per chest	0	3
Tiles (roofing)	per 1,000	0	9
Tiles or piping for draining	per 1,000	0	8
Tin of all kinds	per ton	1	4
Tobacco	per ton	2	6
Treenails, under two feet in length	per 1,000	0	6
Treenails, exceeding two feet in length	per 1,000	1	0
Turnips	per ton	0	6
Turpentine	per hogshead	0	8
Vegetables	per cartload	0	2
Vinegar	per hogshead	0	6
Vitriol	per carboy	0	2
Whalebone	per ton	2	6
Wine	per hogshead	0	8
Wine (bottled)	per barrel bulk	0	4
Wood:			
Fir, pine, and other descriptions not enumerated	per load of 50 feet	0	10
Oak or wainscot	per load of 50 feet	1	0
Firewood	per fathom	0	6
Laths and lathwood	per fathom of 216 cubic feet	2	6
Handspokes	per 120	0	10
Oars	per 120	2	6
Spars, under 22 feet in length, above $2\frac{1}{2}$ and under 4 inches in diameter	per 120	2	6
Spars, $2\frac{1}{2}$ inches in diameter and under	per 120	1	4
Spars, 22 feet in length and upwards, and not exceeding 4 inches in diameter	per 120	6	6
Spars of all lengths, above 4 and under 6 inches in diameter	per 120	12	0
Spokes of wheels not exceeding two feet in length	per 120	0	4
Exceeding two feet in length	per 120	0	6
Wedges	per 1,000	1	0
Pipe staves, and others in proportion	per standard hundred	1	0
Lignum vitæ, fustic, logwood, mahogany, and rosewood	per ton	1	4
Wool	per cwt.	0	2
Yarn	per ton	1	4
Zinc	per ton	1	4

All other Goods not particularly enumerated in the above Table.

		s.	d.
Light Goods	per barrel bulk	0	2
Heavy Goods	per ton	1	4

In charging the rates on goods, the gross weight or measurement of all goods to be taken, and for any less weights, measures, and quantities than those above specified, a proportion of the respective rates shall be charged.

Five cubic feet, not exceeding 2½ cwt., to be rated as a barrel bulk; but when the weight of 5 cubic feet is greater than 2½ cwt., then 2½ cwt. to be rated as a barrel bulk.

III.—Rates for Use of Cranes, Weighing Machines, and Sheds.

1*st. Rates of Craneage.*

All goods or packages not exceeding 1 ton	0	3
Exceeding 1 ton and not exceeding 2 tons	0	4
Exceeding 2 tons and not exceeding 3 tons	0	6
Exceeding 3 tons and not exceeding 4 tons	0	8
Exceeding 4 tons and not exceeding 5 tons	0	10
Exceeding 5 tons and not exceeding 6 tons	1	0
Exceeding 6 tons and not exceeding 7 tons	1	2
Exceeding 7 tons and not exceeding 8 tons	1	4
Exceeding 8 tons and not exceeding 9 tons	1	8
Exceeding 9 tons and not exceeding 10 tons	2	0
Exceeding 10 tons	3	0

2*nd. Weighing Machines.*

For goods weighed, for each ton or part of a ton	0	1

3*rd. Shed Dues.*

For each ton of goods of 8 barrels bulk, or for which each ton of goods of 20 cwt., which shall remain in the sheds or works of the Pier, for a longer period than 48 hours, the sum of 3*d.*; and the sum of 1½*d.* per ton for each day during which such goods shall remain after the first 48 hours.

For any portmanteau, trunk, parcel, or other article of passengers' luggage, for each day or part of a day, per package	0	2

IV.—Rates on Passengers landing on or embarking from the Pier or Harbour.

For every passenger or other person who shall land from, or embark on board of, any ship, vessel, packet, or passage boat, not being boats or vessels used for pleasure only, for each and every time, any sum not exceeding	0	0	2
For every person who shall land from, or embark on board of, any boat or vessel used for pleasure only, for each and every time, any sum not exceeding	0	0	6
For every person who shall use the said Pier or Harbour for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time, any sum not exceeding	0	0	2
For every master of any vessel, boat or wherry, being an inhabitant of the town of Bray or parish of Bray, and using the said Pier, Harbour, or works, for the purpose of going to or returning from his own vessel, boat, or wherry, an annual sum not exceeding	1	0	0

DARTMOUTH.

Provisional Order of the Board of Trade for the Improvement, Maintenance, and Regulation of the Harbour of Dartmouth, in the County of Devon.

Preamble.

Whereas under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the Promoters of the Harbour of Dartmouth made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council, appointed for the consideration of matters relating to Trade and and Foreign Plantations, herein-after called the Board of Trade, praying their Lordships to grant a Provisional Order under the said Acts, and thereby to constitute and incorporate certain persons to be Commissioners or other proper Harbour authority for the Harbour of Dartmouth, in the county of Devon, and to empower such Commissioners (among other things) to make and maintain certain piers, landing-places, light-houses, beacons, and other accommodation works connected therewith at Dartmouth, and to take land on lease or otherwise, by agreement, to an extent to be limited in such Order, and to levy and recover rates, tolls, and dues not exceeding the amounts specified in the Schedule of Rates hereto annexed, and to raise money for the purposes of such works, and thereby also to regulate the borrowing powers of such Commissioners, and therein to specify such terms and conditions to be observed by such Commissioners, for the formation, management, and maintenance of such works, and to grant such other powers, privileges, and authorities as to the Board of Trade might seem fit:

And whereas the estimated expenditure on the proposed works is Nineteen thousand pounds, and no more:

And whereas the Promoters published the advertisements and deposited the documents which by the last-mentioned Act they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:—

Incorporation of Commissioners.

1. There shall be a body of Commissioners for carrying this Order into execution; which Commissioners and their successors shall be and are hereby for the purposes of this Order incorporated by the name of The Dartmouth Harbour Commissioners, and by that name shall be one body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of, land and other property for the purposes, but subject to the restrictions

restrictions, of this Order. The term "the Commissioners" herein-after used means The Dartmouth Harbour Commissioners.

Appointment of the several Commissioners.

2. The appointment of the several Commissioners shall be regulated as follows:

(1.) The Board of Trade on, or at any time after, the passing of an Act confirming this Order, may, if they think fit, appoint three persons to be Commissioners, and whenever a vacancy is caused by death, resignation, or otherwise, in the office of any one of those three Commissioners, may, if they think fit, appoint another person to fill the vacancy, and so toties quoties:

(2.) The Mayor, Aldermen, and Burgesses of the Borough of Dartmouth, acting by the Town Council of the Borough, shall, as soon as may be after the passing of an Act confirming this Order, appoint two persons to be Commissioners, and whenever a vacancy is caused by death, resignation, or otherwise, in the office of either of those two Commissioners, shall appoint another person to fill the vacancy, and so toties quoties:

(3.) The Dartmouth and Torbay Railway Company shall, as soon as may be after the passing of an Act confirming this Order, appoint two persons to be Commissioners, and whenever a vacancy is caused by death, resignation, or otherwise, in the office of either of those two Commissioners, shall appoint another person to fill the vacancy, and so toties quoties:

(4.) The following three persons are hereby nominated and appointed to be Commissioners,—namely, Charles Seale Hayne, William Froude, and George Knight, and whenever a vacancy is caused by death, resignation, or otherwise, in the office of any one of those three Commissioners, the Commissioners shall, by a special order, appoint another person to fill the vacancy, subject to the approval of the Board of Trade, and so toties quoties:

(5.) The owners of property and other persons rated to the relief of the poor for the Parish of Kingswear, in the county of Devon, upon a rateable value of not less than twenty pounds a year, shall, from time to time, elect one person to be a Commissioner.

Incorporation of parts of 10 & 11 Vict. c. 16.

3. The Commissioners Clauses Act, 1847, shall be incorporated with this Order, and shall, as far as the nature and circumstances of the case will admit, apply to the Commissioners collectively and severally, subject to the following provisions:

(1.) No person shall be capable of acting as a Commissioner (other than a person appointed to be a Commissioner by the Board of Trade), unless he is seised or possessed of property to the value or amount of 3,000*l.*:

(2.) With reference to section thirty-nine of the last-mentioned Act, the prescribed number (constituting a quorum) of the Commissioners shall be five, if and as long as there is any Commissioner appointed by the Board of Trade,—and shall be three, if the Board of Trade does not exercise the power of appointing a Commissioner, or if and as long as the offices of all Commissioners appointed by the Board of Trade are vacant:

(3.) The Board of Trade shall appoint a permanent auditor of the accounts of the Commissioners:

(4.) The clauses of the last-mentioned Act with respect to the making of byelaws shall not be incorporated with this Order.

Undertakers.

4. The Commissioners shall be the Undertakers of the works authorized by this Order.

Limits of harbour.

5. The limits within which the Commissioners shall have authority (which shall be deemed the limits of this Order) shall extend from the ferry at Dittisham, in the county of Devon, across the River Dart to Greenway, in the parish of Churston Ferrers, in the same county, southward to the mouth of the harbour, to the point called the Outer Froward Point, at the eastern entrance of the harbour, in a straight line to the point called Coombe Point, at the western entrance of the harbour, as laid down on the Admiralty Chart of 1853.

Power to take lands by agreement.

6. For the purposes of the works authorized by this Order, the Commissioners may from time to time, by agreement, enter on, take, or use all or any part of the lands shown on the deposited plans as intended to be taken for the purposes of the proposed works, and also any other lands that may be necessary for carrying this Order into execution, so that such other lands do not exceed in the whole five acres, in addition to any lands (which shall not exceed in extent in the whole two acres) taken for extraordinary purposes.

Incorporation of Lands Clauses Acts.

7. The Lands Clauses Consolidation Act, 1845, except with respect to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order.

Power to make works.

8. Subject to the provisions of this Order, the Commissioners may, on the lands taken by them under this Order, and in the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections, make and maintain the works shown on the deposited plans, or hereinafter described.

Description of works.

9. The works authorized by this Order comprise the following:

1. To make, construct, and maintain a roadway leading out of the present road from Kingswear to Brixham, along the southern side of Waterhead Creek, in the parish of Kingswear, in the county of Devon, at or near a point about fifty yards to the westward of the shipbuilding slip, and terminating near the Kingswear Ferry, at a point on the shore or bed of the River Dart, about forty yards to the westward of the Ferry Inn, called The Plume of Feathers, in the said parish of Kingswear:

2. To make, construct, and maintain a jetty, pier, or landing place about fifty yards in length, commencing either at the termination of the above-named roadway, or at the landing slip near the Ferry Inn aforesaid, extending in anortherly direction into or towards the waters of the River Dart, or the Harbour of Dartmouth, or the soil thereof:

3. To make, construct, and maintain a jetty, pier, pontoon, or landing stage in the foreshore, or mud, or bed, or bank of the River Dart, or the waters thereof, or of the Harbour of Dartmouth, commencing at the termination of the above-named jetty, and extending in a northeasterly direction for a distance of about one hundred and thirty yards:

4. To make, construct, and maintain a quay, pier, or viaduct, road or tramway commencing at the beginning of the first-named pier, or from the first-named roadway, and running across Waterhead Creek to the Dartmouth

Dartmouth and Torbay Railway at or near Hoodown Ferry House, and all sheds, warehouses, coal depôts, or other buildings and things necessary for the proper working and user of all or any of the foregoing works:

5. Also to dredge, scour, cleanse, or remove any bank or banks of sand or mud adjoining any of the works herein-before specified.

Rates in Schedule (A).

10. The Commissioners may demand and receive in respect of the vessels, goods, persons, animals, and things described in the Schedule (A) hereto annexed, any sums not exceeding the rates in that Schedule specified.

Power to borrow for works.

11. The Commissioners may, from time to time, borrow at interest such money as may be required for the purposes of the works herein-before specified, not exceeding in the whole the sum of twenty-five thousand pounds, on the security of the same works, and the lands and property connected therewith, and the rates specified in Schedule (A), or of any of those particulars.

Application of rates and money.

12. The Commissioners shall apply all money received by them in respect of the rates specified in Schedule (A), and all other money coming to their hands from the works herein-before specified, or the lands or property connected therewith, for the purposes and in the order following, and not otherwise:

(1.) In paying three-fourths of the costs of and connected with the preparation and making of this Order:

(2.) In paying the expenses of the maintenance, management, and regulation of the works herein-before specified, and of the lands and property connected therewith:

(3.) In paying the interest on any money borrowed under the power herein-before contained, and any sum payable on account of the principal thereof:

And the Commissioners shall from time to time revise the rates received under Schedule (A), so that the produce of the rates under that Schedule may always be, as far as is practicable, sufficient and not more than sufficient for the payments before in the present clause directed.

Power to make, transfer, or lease.

13 The Commissioners may at any time by deed under their common seal transfer or lease to the Dartmouth and Torbay Railway Company, their lessees or assigns, if and when the Company, their lessees or assigns, are lawfully empowered to take a transfer or lease under the present provision, all or any part of the works herein-before specified, and the right to receive all or any part of the rates specified in Schedule (A) hereto, and all or any other of the rights or powers by virtue of this Order vested in the Commissioners in relation to the works herein-before specified, or any of them; but so that any such deed of transfer or lease shall not have any effect unless it is made with the approval of the Board of Trade, testified in writing signed by a Secretary or Assistant Secretary of the Board.

Further works.

14. The works authorized by this Order also comprise the following:

6. To erect and maintain a new lighthouse or beacon to be placed on the Kingswear shore near the mouth of the River Dart about midway between a house called Brook Hill, in the parish of Brixham aforesaid, and a house called The Beacon, in the parish of Kingswear aforesaid;

7. To improve and maintain, or to alter or abolish the present lighthouse near the castle in the parish of Townstall, both in the county of Devon, at the western entrance of the Harbour of Dartmouth;

8. To blast or otherwise clear away a certain rock at the entrance of the Harbour, called The Pin Rock, and any other rocks at the entrance of the Harbour or in the Harbour itself, that may be found to interfere in any way with the navigation of the Harbour;

9. To erect, fix, lay down, and maintain any other beacons, lights, buoys, warping posts, moorings, or other works necessary for the accommodation and guidance of ships or vessels into or from the Harbour, or for the navigation thereof, and to alter or abolish the same from time to time as may be necessary;

10. Also to dredge, scour, cleanse, or remove any bank or banks of sand or mud either at the entrance of the Harbour or in the Harbour that may in anywise affect the navigation thereof, or the landing or embarking of passengers, or the shipping or unshipping of goods, wares, or merchandise, to or from vessels using the Harbour.

Rates in Schedule (B).

15. In respect of the vessels described in the Schedule (B) hereto annexed, the Commissioners may demand and receive such sums, not exceeding the rates in that Schedule specified, as may from time to time be approved of by the Board of Trade.

Power to borrow for further works.

16. The Commissioners may from time to time borrow at interest such money as may be required for the purposes of the works lastly herein-before specified, not exceeding in the whole the sum of five thousand pounds, on the security of the same works, and the lands and property connected therewith, and the rates specified in Schedule (B), or of any of those particulars.

Application of rates and moneys received by the Commissioners.

17. The Commissioners shall apply all money received by them in respect of the rates specified in Schedule (B), and all other money coming to their hands from the works lastly herein-before specified, or the lands or property connected therewith, for the purposes and in the order following, and not otherwise:

(1.) In paying one-fourth of the costs of and connected with the preparation and making of this Order:

(2.) In paying the expenses of the maintenance, management, and regulation of the works lastly herein-before specified, and of the lands and property connected therewith:

(3.) In paying the interest on any money borrowed under the power lastly herein-before contained, and any sum payable on account of the principal thereof:

And the Commissioners shall from time to time revise the rates received under Schedule (B), so that the produce of the rates under that Schedule may always be, as far as is practicable, sufficient and not more than sufficient for the payments before in the present clause directed.

Provision for separate accounts of the two funds.

18. The Commissioners shall keep separate accounts of the money received by them in respect of the rates specified in Schedules (A) and (B) respectively, and of any money borrowed by them under the two several borrowing powers herein-before contained, and of the respective application of the money so respectively received and borrowed; and the money respectively received under the said two several Schedules, and respectively borrowed under the said two several borrowing powers, shall be deemed for all the purposes of this Order to constitute distinct funds.

Receiver.

19. The mortgagees of the Commissioners may enforce the payment of the arrears of interest, or of the arrears of principal and interest due to them on their

their respective mortgages, by the appointment of a receiver; the amount to authorize a requisition for a receiver shall be five hundred pounds.

Money to be applied for purposes of Order.

20. Every part of the money borrowed under this Order shall be applied only for purposes authorized by this Order.

Confirmation of byelaws and provision for management of harbour.

21. Any byelaws made under this Order and The Harbours, Docks, and Piers Clauses Act, 1847, shall not come into operation until allowed and confirmed by the Board of Trade, which allowance and confirmation shall be sufficient for all purposes; and it shall not be lawful for the Harbour Master, by virtue of section 52 of that Act, or of any other authority, or for the Commissioners, to give or cause to be given any direction respecting any matter mentioned in that section, or provided for in the byelaws, further or otherwise than as he or they may be expressly authorized by the byelaws to do so.

Exception of parts of Harbours Clauses Act.

22. The following provisions of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections, 16, 17, 18, and 19.

Meters and weighers.

23. The Commissioners shall have the appointment of meters and weighers at their works.

Power to establish steam tugs, &c.

24. The Commissioners may provide such steam engines, steam vessels, tugs, piling engines, diving bells, ballast lighters, rubbish lighters, moorings, dredging machines, and other machinery, vessels, and things as they think necessary for effectuating any of the purposes of this Order, and may demand and receive such sums for the use of the same as they think reasonable.

Application of Part V. of 24 & 25 Vict. c. 47.

25. Part V. of The Harbour and Passing Tolls, &c. Act, 1861, shall apply to the Harbour of Dartmouth, as altered under this Order.

Short Title.

26. This Order may be cited as The Dartmouth Harbour Order, 1863.

Board of Trade, Whitehall.
Dated this 13th day of April 1863.

(Signed) T. H. Farrer,
Assistant Secretary.

The SCHEDULES referred to in the foregoing Order.

SCHEDULE (A).

I.—Rates on Goods shipped or unshipped at any part of the works authorized by the foregoing Order, and numbered respectively 1, 2, 3, 4, 5.

			s.	*d.*
Acid water, acid vegetable, or mineral, per pipe			1	0
Ditto	ditto	per hogshead	0	6
Ditto	ditto	per firkin	0	3
Ditto	ditto	per jar	0	2
Ditto	ditto	per cwt.	0	3
Acorns, per ton of forty bushels			1	0
Alabaster, rough, per ton			1	0
Ditto, worked, per cwt.			1	0

	s.	d.
Ale, beer, or porter, per butt or pipe	1	0
Ditto per hogshead	0	6
Ditto per barrel	0	3
Ditto per kilderkin	0	1½
Ditto in bottles, per dozen	0	1
Ale, bottled, per barrel bulk	0	3
Alkanet root, per cwt.	0	4
Almonds, per cwt.	0	3
Aloes, per cwt.	0	4
Alum, per cwt.	0	2
Amber, per cwt.	0	4
Ambergris, per cwt.	1	0
Anchors, cwt.	0	2
Anchovies, per barrel	0	2
Angelica, per cwt.	0	3
Animals, stuffed, each	0	6
Annatto, per cwt.	0	4
Anniseeds, per cwt.	0	3
Antimony, per cwt.	0	3
Anvils, per cwt.	0	1
Apples, in bulk, per ton	0	6
Arrow root and powder, per cwt.	0	3
Arsenic, per cwt.	1	0
Ashes, barilla, per cwt.	0	1
Pearl and pot, per cwt.	0	2
Black, per cwt.	0	1
Bleaching, per cwt.	0	2
Common Irish, per cwt.	0	1
Soda, per cwt.	0	1
Asphaltum, per cwt.	0	1
Bacon or pork, per cwt.	0	2
Bagging, per cwt.	0	4
Ballast, per ton registered measurement of vessel	0	1
Bark, tanner's, chopped, per ton	0	6
Ditto, rinds, not ground, per ton	0	6
Angustina, per cwt.	0	4
Birch and larch, per ton	0	6
Quercitron, per ton	2	0
Sassafras, per cwt.	0	4
Winteranus, per cwt.	0	4
Baskets, per dozen	0	1
Basket rods, per 1000	0	3
Bass rope, per cwt.	0	2
Bedposts, mahogany, per set	0	6
Others, per set	0	4
Beef or pork, per tierce	0	6
Ditto, per barrel	0	4
Ditto, per half barrel and smaller package	0	2
Ditto, per ton	1	4
Beer, spruce, per barrel of 32 gallons	0	8
Bell metal, per cwt.	0	2
Bellows, smiths', each	0	6
Bellows, common, per dozen	0	6
Berries, Bay, per cwt.	0	1
Juniper, per cwt.	0	1
Yellow, per cwt.	0	1
Biscuit or bread, per cwt.	0	2
Blacking, per cwt.	0	2

	s.	d.
Blackjack, per ton	0	4
Blocks, heel, per gross	0	2
Last, per dozen	0	1
Ship, per dozen	0	1
Blubber, per cwt.	0	1
Blue, per cwt.	0	2
Bobbins, per cask	1	0
Bones, per ton	0	6
Bone dust, per quarter	0	2
Books, per cwt.	0	4
Borax, per cwt.	0	2
Bottles, loose, empty, per gross	0	2
In baskets or carboys, full	0	6
Bowls of wood, per dozen	0	2
Boxes, iron, for wheels, per cwt.	0	1
Bran, per ton	1	0
Brandy, per hogshead	1	6
Brass, new, per cwt.	0	2
Old, per cwt.	0	1
Bricks, common, per 1000	1	0
Fire, per 1000	2	0
Scouring, per 1000	1	6
Slabjacks, per dozen	0	1½
Brimstone, per cwt.	0	1
Bristles, per 12 lbs.	0	1
Brooms, birch, per gross	0	2
Brooms and brush handles, per gross	0	6
Brush heads and stocks, per 100	0	1
Brushes, hair, rushes, and whalebone, per dozen	0	2
Bugles and beads, per cwt.	0	3
Bullion, per package	1	0
Bullrushes, per bundle	0	1
Butter, per cask	0	3
Ditto, per firkin	0	1½
Ditto, per pot	0	1
Ditto, per barrel	0	4
Cables, per cwt.	0	2
Cakes, linseed or rape, per cwt.	0	1
Calamine, per cwt.	0	1
Calaminaris, lapis, per cwt.	0	1
Calves velves, per cwt.	0	3
Camphor, per cwt.	0	6
Candles, tallow, chest of 14 dozen	0	6
Ditto, half chest	0	3
Ditto, wax, per 12 lbs.	0	1
Canella alba, per cwt.	0	4
Canes, per bundle	0	6
Cantharides, per cwt.	1	0
Canvas, per bolt	0	1
Caoutchouc, per cwt.	0	4
Capers, per cwt.	0	6
Capillaire, per 100 gallons	1	0
Carboys, empty, each	0	2
Cards, wool, per dozen	0	1
Carriages or coaches, each	10	6
For guns, each	1	6
Gigs, each	5	0
Carts, each	2	6
Hand, each	1	0

	s.	*d.*
Casks, empty, not returned, each	0	2
Cattle :—		
Asses and mules, each	1	0
Bulls, each	2	6
Cows and oxen, each	1	6
Calves and lambs, each	0	6
Horses, each	2	0
Pigs or sheep, each	0	4
Sucking pigs, each	0	3
Cassia buds, per cwt.	0	6
Fistula, per cwt.	0	4
Caviare, per cwt.	1	0
Cement, per cwt.	0	1
Chairs, not mahogany, per dozen	1	6
Mahogany, per dozen	2	6
Chains, per cwt.	0	2
Chalk, per ton	0	2
Charcoal, per pack	0	1
Cheese, per cwt.	0	6
Chemicals, per barrel bulk	2	0
Chesnuts, per bushel	0	1
Chimney pots, earthenware, each	0	1
China, per hogshead	1	6
Ditto, per tierce	1	0
Chirt stones, per ton	0	6
Chocolate, per cwt.	0	3
Cider or perry, in bottles, per dozen	0	1
Ditto, per hogshead	0	6
Cinnabar, per cwt.	0	9
Cinnamon, per cwt.	1	0
Clay, pipe and potter's, per ton	0	2
China, per ton	0	3
Clocks, per dozen	2	0
Wood, per dozen	1	0
Clog soles, per gross	0	6
Cloth, packs not exceeding 1 cwt.	0	4
Cloths, linen, woollen, bale, pack, or truss, per cwt.	0	4
Cloths, linen, woollen, or cotton, in boxes, per foot	0	1
Cloves, per cwt.	1	0
Coals (besides bushelage), per ton	0	2
Coke, per ton	0	4
Cobalt, per ton	1	0
Ore, per ton	0	4
Cocoa, per cwt.	0	3
Cocoa nuts, per 100	0	2
Coculus indicus, per cwt.	0	4
Coffee, per cwt.	0	3
Colouring for potter, per barrel of 36 gallons	0	6
Columbo root, per 100.	0	4
Copper, per cwt.	0	1
Ore, per ton	0	4
Furnaces, per twenty gallons	0	2
Copperas, barrel or bag, per cwt.	2	0
Coral, per cwt.	2	0
Cordage, per. cwt.	0	2
Cordials, per case of 1 dozen	0	1
Ditto, per hogshead	1	0
Cork, per cwt.	0	3
Corks, per ten gross	0	2

	s.	*d.*
Corn, viz.:—		
Wheat, per quarter	0	2
Barley, per quarter	0	1
Oats, per quarter	0	1
Bere and bigg, per quarter	0	2
Barley meal, per bag	0	2
Indian Corn, per quarter	0	1
Ditto Meal, per bag	0	1
Oatmeal, per bag	0	1
Beans and peas, per quarter	0	2
Rye, per quarter	0	1
Cotton, raw, per cwt.	0	3
Ditto, manufactured, per cwt.	0	6
Cradles, each	0	2
Cranberries, per 5 gallons	0	1
Cream of tartar, per cwt.	0	4
Crease, earthenware, per dozen	0	0½
Crystal, per box or package	0	6
Ditto, per barrel bulk	0	2
Cubebs, per cwt.	0	6
Culm, per ton	0	3
Currants, per butt	1	6
Dates, per cwt.	0	3
Dissolved bones and other artificial manures, per ton	0	8
Dogs, and other animals not enumerated, each	0	6
Down, eider, per cwt.	1	6
Drugs, in casks, hampers, or boxes, at per foot	0	1
Ditto, per barrel bulk	0	3
Dyer's stuff, per cwt.	0	4
Dyes, per cwt.	1	0
Dye wood, per ton	1	4
Earth, black, per ton	1	0
Brown, per ton	1	0
Earth, Fullers', per ton	1	0
Red, per ton	1	0
Yellow, per ton	1	0
Earthenware, coarse, in bulk, per potter's dozen	0	3
In crates, at per foot	0	0¼
Eggs, per gross of 12 dozen	0	1
Emery, per cwt.	0	2
Stones, per cwt.	0	1
Empty bags and sacks (not returned), per cwt.		2
Epsom salts, per cwt.	0	2
Essence of lemons and limes, per 100 pounds	2	0
Essential oils, per cwt.	0	9
Euphorbium, per cwt.	0	4
Feathers, per cwt.	0	6
Felt, per cwt.	0	1
Figs, per cwt.	0	2
Filtering stones, each	0	1
Fish, fresh, per cwt.	0	1
Pilchards, cured, per hogshead	0	3
Herrings, cured, per barrel	0	4
Other cured fish (not before specified), per cwt.	0	1
Flag stones, rough, per 100 feet	1	2
Ditto, worked, per 100 feet	2	0
Flax (rough), per ton	1	8
Ditto, per dozen hanks	0	1

	s.	*d.*
Flock, per bag	0	3
Floor cloth, per cwt.	0	4
Flour, per sack	0	2
Ditto, per barrel	0	1½
Flower roots, plants, or trees, in packages, at per foot	0	1
Free stones, per ton	1	2
Fruit, green, per cwt.	0	1
Ditto, dry, per cwt.	0	2
Fuel, patent, per ton	0	4
Furniture, household, cases, at per cubic foot	0	1
Galbanum, per cwt.	0	4
Gallangal, per cwt.	0	4
Galls, per cwt.	0	4
Gates, iron or wood, each	0	2
Gentian root, per cwt.	0	4
Ginger, per cwt.	0	3
Gingerbread, per box	0	4
Ginseng, per cwt.	0	4
Glass, per crib, slide, or case	0	6
Glauber salts, per cwt.	0	2
Gloves, per dozen pair	0	1
Glue, per cwt.	0	1
Granite, per ton	0	2
Grapes, per barrel or per jar	0	2
Ditto, per half barrel or box	0	1
Grates or stoves, per foot	0	2
Gravel or sand, per ton	0	2
Grease or greaves, per cwt.	0	1
Groats, per cwt.	0	2
Guano, per ton	1	0
Gums, per cwt.	0	4
Gunpowder, per 100 pounds	0	3
Gypsum, per ton	0	2
Haberdashery and hosiery, in bales, per cwt.	0	4
Ditto, in boxes, per foot	0	1
Hair, per cwt.	0	3
Hams, per cwt.	0	2
Hanks, for sails, per dozen	0	0½
Hardware, per cwt.	0	2
Hares and rabbits, per dozen	0	2
Any less quantity	0	1
Harrows, each	0	4
Hats, per box, per foot	0	1
Hay rakes, per dozen	0	2
Hay, per ton	1	6
Hemp, per ton	1	8
Herrings, fresh, per cran	0	1
Ditto, cured, per barrel	0	3
Hide roundings, or glue pieces, per cwt.	0	2½
Hides, wet or dry, for every 100 in number	3	6
Ditto, fleshings, per cwt.	0	2½
Honey, per gallon	0	1
Hoofs, per cwt.	0	1
Hoops, for mast, or white hoops, per dozen	0	1
Ditto, per load	1	0
Hops, per bag	1	0
Ditto, per pocket	0	6
Ditto, per end	0	3

	s.	d.
Horns, per 100	0	4
Household furniture, new, per barrel bulk	0	1
Ditto, belonging to parties changing their residence only, per 10 barrels bulk	0	6
Hurdles, per dozen	0	2
Husbandry utensils, per ton	1	4
Ditto, per barrel bulk	0	2
Ice, per ton	0	6
Indigo, per cwt.	1	6
Iron, pig, per ton	0	6
Cast, per ton	0	8
Bar, bolt, and wrought, per ton	1	0
Hoops, per cwt.	0	1
Horse shoes, per cwt.	0	1
Ploughshares, per cwt.	0	1
Stamp heads, per ton	1	0
Furnaces, at per 20 gallons	0	1
(Cast) hollow ware, per cwt.	0	3
Ore, per ton	0	4
Wire and nail rods, per cwt.	0	1
Irons, baker's and pudding pans, per cwt.	0	1
Patten, per grass	0	6
Isinglass, per cwt.	0	6
Ivory, per cwt.	1	0
Black, per cwt.	0	1
Jack screws, per pair	0	6
or fishing lines, per dozen	0	1
Junk or old rope, per cwt.	0	1
Lac, gum, stick, seed, and shell, per cwt.	0	4
Ladles, per gross	0	6
Lamp black, per cwt.	0	4
Lanthorns, horn or glass, per dozen	0	1
Lard, per cwt.	0	2
Lead ore, per ton	0	4
Pigs of, per ton	1	0
Sheet, per cwt.	0	1
Leather, tanned, per cwt.	0	2
Wrought, per cwt.	0	3
Lemons, per chest	0	4
Ditto, per box	0	2
Lemon, lime, and orange juice, per hogshead	1	0
Lime, burnt, per ton	0	6
Limestone, per ton	0	2
Linen or woollen rags, per cwt.	0	1
Cloth, per cwt.	0	4
Lint cloth, not in bales, per piece	0	3
Liquor, in bottles, per case or box	0	6
Loam or moulding sand, per ton	0	3
Logwood, logwood chips, per cwt.	0	3
Maccaroni, per cwt.	0	4
Mace, per cwt.	1	0
Machinery, steam and other iron engines, and part of the same, per cwt.	0	1
Foundation plates, bobs and pumps for engines, per cwt.	0	1
Wood and iron mixed, per foot	0	1
Madder and madder roots, per cwt.	0	4
Malt, per quarter	0	2
Manganese, per ton	0	4

	s.	*d.*
Manure, not enumerated, per ton	0	2
Marble, rough, per ton	1	0
Ditto, worked, per cwt.	1	0
Masts or spars, each	0	6
Mats and matting, per dozen	0	1
Maunds or hampers, empty imported, per dozen	0	1
Meal, per bag of 280 lbs.	0	2
Meat, per cwt.	0	2
Melting pots, per dozen	0	1
Milk, per gallon	0	0½
Millboards, per 120 boards	0	6
Millinery, per foot	0	1
Mineral and aerated waters, in bottles, per dozen	0	1
Mops and brushes, per dozen	0	3
Mother-of-pearl shell, per cwt.	0	4
Mundic, per ton	0	2
Munjeet, per cwt.	0	4
Muriate of lime, potash, and soda, each, per cwt.	0	1
Musical instruments, per foot	0	1
Muskets, per dozen	0	6
Mustard, per firkin of 72 lbs.	0	3
Ditto per firkin of 36 lbs.	0	2
Nails, per cwt.	0	1
Natron, per ton	1	8
Nests of trunks, per foot	0	1
Nutmegs, per cwt.	1	0
Nuts, per Winchester bushel	0	1
Nux vomica, per cwt.	0	4
Oakum, per cwt.	0	1
Oars, per dozen	0	3
Ochre, per cwt.	0	1
Oil, large cans for lighthouses, containing 30 gallons, and so in proportion	1	0
Castor, per cwt.	0	4
Sperm, per hogshead	1	0
Pilchard, per ton	1	0
Sweet and lamp, and all oils not enumerated, per hogshead	0	10
In flasks, per chest	0	4
Ditto per half chest	0	2
Oil cake, per ton	1	0
Olives, per barrel	0	2
Ditto, per jar	0	1
Onions, per cwt.	0	1
Oranges, per box	0	2
Oranges, per chest	0	4
Orange and lemon peel, and buds, per cwt.	0	3
Orchilla weed, per cwt.	0	4
Ores :—		
Copper, lead, and other ores per ton	0	8
Ox bows, per dozen	0	2
Oysters, per ton	1	8
Paintings, pictures, and pier glasses, per foot	0	3
Paints and painter's colours, per cwt.	0	2
Pans, warming, per dozen	0	3
Brass, per cwt.	0	6
Paper, stationer's, per cwt.	0	4
Common, per cwt.	0	1½
Pattens, wood, per gross	0	6

	s.	*d.*
Peats, per ton	0	3
Pepper, per cwt.	0	3
Petroleum, per ton	5	0
Pewter, per cwt.	0	2
Phials, in packages, per foot	0	1
Pick hilts, per gross	1	0
Pickles, per 12 bottles	0	1
Pimento, per bag of 100 lbs.	0	3
Pins, per cwt.	0	4
Pipes for smoking, per hogshead	1	0
Ditto per barrel	0	6
Earthenware, for draining, per ton	1	0
Plaister of Paris, per cwt.	0	1
Ploughs, each	0	6
Plums, per cwt.	0	3
Potash, per cwt.	0	1
Potatoes, per ton	1	0
Poultry, including pigeons, game, &c., per dozen	0	1
Any less quantity	0	0½
Powder, hair, or cosmetic, per cwt.	1	0
Preserves, per cwt.	0	4
Prunes, per cwt.	0	2
Pumice stones, per ton	0	1
Puncheons, empty, and pipes not returned, each	0	2
Quern stones, each	0	6
Quicksilver, per case or package	0	6
Quills, stationer's, per 1,000	0	2
Miner's, per cwt.	0	9
Rags, linen, per ton	1	4
Other rags, old ropes and the like, per ton	0	10
Raisins and figs, per cwt.	0	2
Rape seed, per quarter	0	4
Rice, per tierce of 4 cwt.	0	8
Rope coil, per cwt.	0	2
Rope yarn, per cwt.	0	1
Rum, per puncheon	2	0
Sago, per cwt.	0	2
Sails, per cwt.	0	4
Sal gem rock salt, per ton	0	6
Salt, per ton	0	10
Fine, per ton	0	4
Coarse, for manure or curing fish, per ton	0	3
Saltpetre, per cwt,	0	2
Sand or gravel, per ton	0	2
Scoops, boat, per dozen	0	1
Fish, per dozen	0	2
Malt, per dozen	0	3
Scuttles, coal, copper, or tin plate, per dozen	0	3
Scythe stones, per 100	0	3
Scythes, per dozen	0	2
Seed, garden, or agricultural grass seeds, per cwt.	0	3
Segars, per cwt.	0	6
Shakes, not returned, per hogshead, and so in proportion	0	2
Shot, bird, per cwt.	0	3
Shovel handles, per dozen	0	1
Shumac, per cwt.	0	2
Sieves, per dozen	0	3

	s.	*d.*
Silk, raw, per cwt.	1	0
Thrown, per cwt.	2	0
Waste, per cwt.	0	6
Manufactured, per foot on package	0	2
Skins: Badger, bear, beaver, deer, elk, ermine, fisher, fox, leopard, lion, martin, otter, panther, seal, tiger, per score	1	0
Horse, per score	0	3
Calf, per score	0	3
Sheep and kid, per dozen	0	3
Cat, chinchilli, mink, raccoon, seal (hair), per score	0	6
Goat, fitch, musk-quash, neutria, swan, per score	0	3
Coney, hare, mole, per score	0	1
Slabs, marble, per ton	1	0
Slates, writing, per gross	0	3
Rags, per dozen	0	0½
Scantle, per 1,000	0	3
Common helling, per 1,000	0	2
Slate, earth, or tombstones, per foot	0	0¼
Snuff, per cwt.	0	4
Soap, per cwt.	0	2
Soda, sal, per ton	1	0
Soda water, per dozen	0	2
Solder and spelter, per cwt.	0	1½
Spades, garden, per dozen	0	[illegible]
Spermaceti, per cwt.	0	8
Spirits, foreign and British, per hogshead of 56 gallons	0	2
Spokes for wheels, per dozen	0	2
Naves for wheels, per dozen	0	0½
Sponge, per cwt.	1	6
Ditto, per package under quarter of a cwt.	0	6
Stamp lifters, per dozen	0	2
Starch, per cwt.	0	2
Steel, per cwt.	0	6
Stone, Caen, for millstones, per 100	3	6
Stones, grinding, per cwt.	0	1
Ditto, not enumerated, per ton	1	0
Straw, per ton	0	6
Straw Bonnets in bales, cases or casks, or otherwise, per foot	0	1
Plait, in bales, cases or casks, or otherwise, per foot	0	2
Succades and sweetmeats, per cwt.	0	4
Sugar, soft, per cwt.	0	1
Refined, in barrels or bags, per cwt.	0	2
Candy, per box	0	2
Refined, per hogshead	1	4
Sulphur, per cwt.	0	3
Talc, per cwt.	0	4
Tallow, per cwt.	0	2
Tanners' poles, per cwt.	0	6
Tapioca, per cwt.	0	3
Tar, pitch, or rosin, per barrel	0	2
Tarras, per cwt.	0	1
Tea, per chest	1	6
Terra japonica, per ton	2	0
Tessera, per barrel	0	2
Threshing machines, each	5	0
Thrumbs, per cwt.	0	4
Tiles, pan, per score	0	1
Paving, per score	0	1
Malt kilns, per score	0	1

	s.	*d.*
Timber not enumerated, per load of 50 feet	0	6
Timber:		
Staves, pipe, per 120	0	6
Hogshead, per 120	0	2
Split or sawn staves, per 1,000	1	0
Mast pieces, under 12 inches, each	0	3
Ufers, under 24 feet, per 100	1	0
above 24 feet, per 100	1	6
Wainscot boards, per 100	1	0
Tin, in blocks, ingots, or barrels, per ton	1	0
Ore, per ton	0	8
Plate, per box	0	2
Tobacco, per cwt.	0	3
Tongues, per dozen	0	1
Tortoiseshell, per cwt.	1	0
Tow, per ton	1	8
Toys, in boxes, per foot	0	1
Trawl beams, each	0	4
Treacle or molasses, per puncheon	0	10
Ditto, per half puncheon	0	5
Ditto, per small cask	0	3
Trees for saddles, per dozen	0	3
Treenails or Trunnels under 2 feet in length, per 1,000	0	6
Ditto, exceeding two feet in length, per 1,000	1	0
Trenchers, per gross	0	2
Trucks, each	0	3
Trundle sticks, per 1,000	0	3
Turnips or mangold, per ton	1	0
Turpentine, per cwt.	0	6
Twine or netting, per cwt.	0	3
Types, per cwt.	0	6
Valonia, per ton	1	0
Varnish, per barrel	0	6
Venice turpentine, per cwt.	0	4
Vegetables, shipped, per cwt.	0	1
Verdigris, per cwt.	0	1
Vermicelli, per cwt.	0	6
Vinegar, per pipe	2	0
Ditto, per hogshead	1	0
Ditto, per firkin	0	6
Vitriol, per carboy	0	6
Waste:		
Brazier's, button maker's, furrier's, soaper's, tanner's, vitriol, sugar baker's, per cwt.	0	1
Wax, per cwt.	0	2
Whalebone, fins, per cwt.	0	4
Ditto, per 12 lbs.	0	2
Wheelbarrows, each	0	4
Whetstones, per gross	0	2
Whipsticks, per bundle	0	1
Whiskey, per puncheon	2	0
Whiting, per cwt.	0	1
Wick yarn, pack, per cwt.	0	3
Wine, foreign, per pipe, all sorts	2	6
Wine, British, per pipe, all sorts	1	6
Or strong waters, per hogshead	1	0
Ditto per barrel	0	6
British, per hogshead	0	9
Ditto, per firkin	0	3
And liquors, in bottles, per dozen	0	2

	s.	d.
Winnowing machines, each	2	6
Wood:		
Fir, pine, and other descriptions not enumerated, per load of 50 feet	0	10
Oak or wainscoat, per load of 50 feet	1	0
Firewood, per fathom	0	6
Laths and lathwood, per fathom of 216 cubic feet	2	6
Handspokes, per 120	0	10
Spars under 22 feet in length, above 2¼ and under 4 inches diameter, per 120	2	6
Spars, 2½ inches in diameter and under, per 120	1	4
Spars, 22 feet in length and upwards, and not exceeding 4 inches in diameter per 120	6	6
Spars of all lengths above 4 and under 6 inches in diameter, per 120	12	0
Wedges, per 1,000	1	0
Lignum vitæ, fustic, logwood, mahogany, rosewood, and furniture wood, per ton	1	4
Woollen manufactures, at per cwt.	0	8
Wool, packs of British, per cwt.	0	3
Spanish, and all other, per cwt.	0	6
Yarn, worsted, per cwt.	0	2
Yams, per package	0	2
Zaffres, per cwt.	0	4
Zedoary, per cwt.	0	4
Zinc, per ton	1	4

All other Goods not particularly enumerated above.

Light goods, per barrel bulk	0	2
Heavy goods, per ton	1	4

In charging the rates on goods, the gross weight or measurement of all goods to be taken; and for any less weights, measures, and quantities than those above specified a proportion of the respective rates shall be charged.

Five cubic feet, not exceeding 2½ cwt., to be rated as a barrel bulk; but when the weight of five cubic feet is greater than 2½ cwt. then 2½ cwt. to be rated as a barrel bulk.

Luggage.

For any portmanteau, trunk, parcel, or other article of passengers' luggage, per package	0	2

II.—Rates for the use of Cranes, Weighing Machines; Sheds, and Works.

1*st. Rates of Craneage.*

	s.	d.
All goods or packages not exceeding one ton	0	3
Exceeding one ton, and not exceeding two tons	0	4
Exceeding two tons, and not exceeding three tons	0	6
Exceeding three tons, and not exceeding four tons	0	8
Exceeding four tons, and not exceeding five tons	0	10
Exceeding five tons, and not exceeding six tons	1	0
Exceeding six tons, and not exceeding seven tons	1	2
Exceeding seven tons, and not exceeding eight tons	1	4
Exceeding eight tons, and not exceeding nine tons	1	8
Exceeding nine tons, and not exceeding ten tons	2	0
Exceeding ten tons	3	0

2nd. Weighing Machines.

For goods weighed, 1*d.* for each ton, or part of a ton.

3rd. Shed Dues.

For each ton of goods of eight barrels bulk, or for each ton of goods of 20 cwt. which shall remain in the sheds or on the quays of the Harbour, for a longer time than forty-eight hours, the sum of 3*d.*; and the sum of 1½*d.* per ton for each day during which such goods shall remain after the first forty-eight hours.

Luggage.

		s.	*d.*
For any portmanteau, trunk, parcel, or other article of passengers' luggage, for each day or part of a day - - -	per package	0	2

Rates on Vessels using or lying alongside any part of the Works hereby authorized, and specified in Clause 9. of this Order.

For every vessel under the burden of 15 tons - -	per ton	0	4
For every vessel of the burden of 15 tons and under 50 tons	per ton	0	6
For every vessel of the burden of 50 tons and under 100 tons	per ton	0	8
For every vessel of the burden of 100 tons and under 150 tons - - - - - - - -	per ton	0	10
For every vessel of the burden of 150 tons and upwards -	per ton	1	0
All lighters for any vessel in the roads shall be exempt from rates; but if the vessel do not use the pier, every lighter shall pay for each trip - - - - - -	per ton	0	2
All boats entirely open, landing or taking on board goods or dried or salted fish - - - - - -	each	0	6
All drave or large boats using the pier with fresh fish -	each	0	4

III.—Rates on Passengers Landing on or Embarking from any Part of the Works authorized by the foregoing Order, and numbered respectively 1, 2, , 4, 5.

	s.	*d.*
For every passenger or other person who shall land on any part of the said works from, or embark therefrom on board of any ship, vessel, packet or passage-boat, not being boats or vessels used for pleasure only, for each and every time, any sum not exceeding - - -	0	2
For every person who shall land on any part of the said works from, or embark therefrom on board of any boat or vessel used for pleasure only, for each and every time, any sum not exceeding - - -	0	6
For every person who shall use any part of the said works for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time, any sum not exceeding - - - - - - - -	0	2

IV.—Rates for Tramway.

For carriages, trucks, engines, animals, goods, passengers and luggage, passing or carried along tramway specified in No. 4.	The like rates as authorized to be taken for the use of the Dartmouth and Torbay Railway.

SCHEDULE (B).

RATES ON VESSELS USING OR ENTERING THE HARBOUR, TO BE LEVIED AS SOON AS THE WORKS IN THE FOREGOING ORDER NUMBERED RESPECTIVELY 6 AND 7 ARE COMPLETED.

	s.	*d.*
For every vessel - - - - maximum rate per register ton	0	3
And if the same shall remain in the harbour more than two months continuously, then for every month or part of a month during which the same shall remain in the harbour after the first two months, the further sum per register ton of - - - - - -	0	0½

Exemptions.

(1.) Yachts, pleasure boats, and boats entirely open:
(2.) Vessels using the harbour solely as a Harbour of Refuge, and remaining therein not more than 60 hours continuously.

NAIRN.

Provisional Order of the Board of Trade for the Maintenance and Regulation of the Harbour of Nairn.

Preamble.

Whereas the Provost, Magistrates, and Town Council of the Royal Burgh of Nairn, in Scotland, as representing the community of the said burgh, hereinafter called The Nairn Harbour Board, are the proprietors of the Harbour of Nairn, by virtue of various Royal Charters, Infeftments, and Acts of Parliament, and have levied anchorages and customs, tolls, rates, and dues on vessels and goods, which are at present defined and regulated by and according to a schedule thereof drawn up and settled in the year one thousand eight hundred and forty-six:

And whereas the Nairn Harbour Board have expended large sums of money in maintaining and improving the said Harbour, and with that view have from time to time raised considerable sums of money by the sale of lands belonging to the burgh, and also upon mortgages of the said Harbour rates, customs, and dues, and of lands belonging to the burgh, which mortgages are still outstanding:

And whereas the Harbour rates, customs, and dues, as defined by the said schedule, are insufficient for the payment of the interest on the said mortgages, and for the maintenance and repair of the said Harbour:

And whereas the revenue arising therefrom has been reduced by reason of an exemption constituted by usage now claimed and enjoyed by the burgesse of the said burgh from payment of half harbour or shore dues on vessels and goods at the said Harbour; and also of an exemption from payment of dues at a certain Breakwater at the said Harbour, in respect of vessels, boats, and craft employed in the white and herring fisheries, or in carrying materials for the same, or for curing, and of the white fish, herrings, and materials carried by them, constituted by bond dated the fifteenth day of June, one thousand eight hundred

hundred and forty-six, granted by the Nairn Harbour Board to the Honourable the Commissioners for the British White Herring Fishery:

And whereas, under The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, the Nairn Harbour Board made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called The Board of Trade, praying for (among other things) a Provisional Order under the said Acts for power to levy and recover rates according to the Schedule in the memorial referred to, and for the extinction of the said exemptions:

And whereas the Nairn Harbour Board published the advertisements and deposited the documents which, by the last-mentioned Act, they were required to publish and deposit:

And whereas the Board of Trade, after making such inquiries as they have thought expedient, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not be of any validity or force whatever):

Now, therefore, the Board of Trade do by this their Provisional Order, in pursuance of The General Pier and Harbour Act, 1861, and The General Pier and Harbour Act, 1861, Amendment Act, and by virtue and in exercise of the powers thereby respectively in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:—

Power to levy rates according to Schedule.

1. Notwithstanding any law, custom, or usage, right, privilege, or exemption heretofore to the contrary existing in favour of the burgesses of Nairn, or others, the Nairn Harbour Board may demand and receive, in respect of the vessels, goods, persons, animals, and things described in the Schedule hereunto annexed, any sums not exceeding the rates in that Schedule specified.

Custom House officers exempt from rates.

2. Officers of Customs, being in the execution of their duty, shall at all times have free ingress, passage, and egress, on, into, along, through, and out of the Pier and Harbour of Nairn, and works connected therewith belonging to and vested in the Nairn Harbour Board, by land, and with their vessels and otherwise, without payment.

Extinction of exemptions from payment of rates.

3. All exemptions from payment of harbour, shore, tonnage, or other dues or rates, in respect of vessels, boats, or other craft resorting to or using the said Pier and Harbour of Nairn, or the breakwater thereat, or any of the works or accommodations connected therewith, or in respect of any fish, fishing, or curing materials, or other cargo therein, whether arising or constituted by law, custom, or usage, or otherwise howsoever, and particularly the exemption constituted by the said bond dated the fifteenth day of June one thousand eight hundred and forty-six, granted by the Nairn Harbour Board to the Honourable the Commissioners for the British White Herring Fishery, shall, from and after the passing of an Act confirming this Order, be extinguished, and cease to exist.

Application of rates.

4. The rates received under this Order shall be applicable for the purposes and in the order following, and not otherwise:

1. In paying the costs of and connected with the preparation and making of this Order;

2. In payment of the interest of any money borrowed by the Nairn Harbour Board on the security of the Harbour or Harbour rates, and for the time being due and owing;
3. In the maintenance of the Harbour works;
4. In repayment of the principal of any money borrowed as aforesaid on the security of the Harbour or Harbour rates, and for the time being due and owing;
5. As to the surplus revenue of the Harbour, if any, after providing for the purposes aforesaid, the same shall be applied in repayment of any advances heretofore made for the purposes of the Harbour, out of the produce of the sale of land belonging to the community of the burgh of Nairn, or out of any other money belonging to the community, not exceeding in the whole the sum of ten thousand pounds, the amount of such advances to be shown to the satisfaction of the Board of Trade:

And the Nairn Harbour Board shall from time to time revise the scale of rates received under this Order, so that the produce of the rates may always, as far as is practicable, be sufficient and not more than sufficient for the payments directed or authorized in and by the present clause.

Power to borrow.

5. For the purpose of paying off the subsisting mortgages affecting the Harbour rates as aforesaid, or any other mortgages granted by the Nairn Harbour Board for the time being in force, or for the purpose of maintaining, repairing, or improving the Harbour, the Board may from time to time borrow such sum or sums as they deem expedient, or they may accept and take from any bank or banking company credit to such amount as they deem expedient, on a cash account to be opened and kept in the name of the Board, according to the usage of bankers in Scotland, and they may assign the rates hereby authorized in security of the repayment of the sum or sums so borrowed, or of the amount of such credits or of the sums advanced from time to time on such cash account, with interest thereon respectively, by assignations under their common seal, and signed by three of their members, which assignations may be in the form as near as may be in the Schedule (B.) to The Burgh Harbours (Scotland) Act, 1853, annexed, and shall be recorded in the register of sasines for the Burgh of Nairn, and have preference according to the priority of their registration therein, except in so far as a pari passu preference may by the assignations have been established among all or some of them, as being assignations of parts of one capital sum, which the Board may by a resolution of a specified date have determined to borrow in parts; and until repayment of the sums so to be borrowed, with the interest due thereon, the same in so far as remaining unpaid, and the assignations in security thereof, shall form real liens on the rates hereby authorized to be levied, preferable to all other debts and claims, except such mortgage debts affecting the Harbour rates as may be subsisting at the time of the passing of the Act confirming this Order; and every assignation to be granted in pursuance hereof may be transferred in whole or in part by a separate transfer in the form as near as may be of the Schedule (C.) to The Burgh Harbours (Scotland) Act, 1853, annexed; provided that all such transfers shall be recorded in the said register of sasines, and that when two or more transfers shall have been granted of the whole or part of one assignation, they shall have preference according to the priority of their registration excepting in so far as they may have been granted subject to a pari passu preference inter se.

6. The

Saving rights of present mortgagees of Harbour Board.

6. The debts of the Nairn Harbour Board secured on mortgage of the Harbour rates, which at the time of the passing of the Act confirming this Order are subsisting, shall then become and be a charge upon the rates hereby authorized; and nothing in this Order shall prejudice or alter the rights to priority, inter se, of charge upon such rates of the several holders of such mortgages, or any of the rights, privileges, and remedies belonging or incident to such mortgages respectively.

Arrears of interest, &c. may be enforced by the appointment of a judicial factor.

7. If within two months after the interest on any mortgages granted by the Nairn Harbour Board has become due, or after the period prescribed for the payment of the principal sums in such mortgages has expired, such interest or principal (as the case may be) shall not be paid, the holders of such mortgages, as well in respect of mortgages now subsisting as of such as may hereafter be granted by the Board, may, without prejudice to any rights, remedies, or security otherwise competent to or held by them, require the appointment of a judicial factor by an application to be made as hereinafter provided.

Appointment of a judicial factor.

8. Every application for a judicial factor under the provisions of this Order shall be made to the sheriff or sheriff substitute of the county of Nairn. On any such application, the sheriff or sheriff substitute may, by order in writing, after hearing the parties, appoint some person to receive the whole or a competent part of the Harbour rates hereby authorized, until all the arrears of interest or of principal, as the case may be, then due on the outstanding mortgages of the Nairn Harbour Board, together with all costs, including the charges of receiving the said rates, be fully paid. Upon such appointment being made, all such rates as aforesaid shall be paid to and received by the person so appointed, and the money so received shall be so much money received by or to the use of the mortgagees of the Board, and so soon as the full amount of any interest or principal in arrear, and costs, has been so received, the power of such judicial factor shall cease: Provided always, that such judicial factor shall distribute among all the mortgagees to whom interest or principal shall be in arrear, the rates which shall so come into his hands, having respect in such distribution to the priorities, if any, of such mortgagees.

Amount to authorize application for judicial factor.

9. The amount to authorize the application for appointment of a judicial factor shall be one thousand pounds in one or more mortgages.

Incorporation of portions of The Harbours, Docks, and Piers Clauses Act, 1847.

10. Notwithstanding anything in The General Pier and Harbour Act, 1861, Amendment Act contained, the following provisions of The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections sixteen to nineteen, both inclusive, and sections twenty-five and twenty-six; this Order shall be deemed "the Special Act" within the meaning of the last-mentioned Act.

Incorporation of portions of Lands Clauses Consolidation Acts.

11. The Lands Clauses Consolidation (Scotland) Act, 1845, except with respect to the purchase and taking of lands otherwise than by agreement, and The Lands Clauses Consolidation Acts Amendment Act, 1860, shall be incorporated with this Order, but nothing in this Order shall authorize the Nairn Harbour Board to take lands, for the purposes of this Order, exceeding in extent in the whole five acres.

Meters and weighers.

12. The Nairn Harbour Board shall have the appointment of meters and weighers within the Harbour.

Steam vessels, lighters, &c.

13. The Nairn Harbour Board may provide such steam engines, steam vessels, piling engines, ballast lighters, rubbish lighters, and other machinery

and vessels as they think necessary for the purposes of the Harbour, and may demand and receive such sums for the use of the same as they think reasonable

Pilotage, lights, buoys, and beacons.

14. The Nairn Harbour Board shall be a pilotage authority and a local authority within the meaning of The Merchant Shipping Act, 1854, with all the powers by that Act conferred on pilotage authorities and on local authorities.

Part V. of 24 & 25 Vict. c. 47. to apply.

15. Part V. of The Harbours and Passing Tolls Act, 1861, shall apply to the Harbour of Nairn.

Designation of Board.

16. The Provost, Magistrates, and Town Council of the burgh of Nairn may be called The Nairn Harbour Board in all deeds, documents, and proceedings relating to the Harbour.

Short Title.

17. This Order may be cited as The Nairn Harbour Order, 1863.

Board of Trade, Whitehall.
Daed this 13th day of April 1863.

(Signed) T. H. Farrer,
Assistant Secretary.

SCHEDULE.

I.—Anchorage, or Rates on Vessels entering or using the Harbour.

		s.	*d.*
For every vessel wholly or partly decked:—			
If under 20 tons burden	per ton	0	4
If 20 tons burden or upwards		0	6
For every boat entirely undecked:—			
If landing or taking on board goods, or cured, dried, or salted fish, per ton burden		0	2
If entering while or after being engaged in the white, herring, salmon, or shell fishing	per boat	0	4

II.—Stance Dues.

For every herring boat not engaged in the herring fishing at Nairn, but hauled up there for wintering—Stance Dues, yearly	per boat	4	0

III.—Rates on Passengers.

For every person landing from or embarking in any vessel or boat in the harbour		0	3

IV.—Rates on Animals and Goods shipped or unshipped, received or delivered in the Harbour.

Ballast	per ton	0	1
Boxes and casks, empty, exclusive of empties returned	each	0	1
Ditto, ditto, returned empty within three months after arriving full		Exempt	
Ditto, ditto, if returned empty after 3 months	each	0	$0\frac{1}{2}$
Bricks, tiles, and slates, all kinds	per 1000	1	0
Cake and feeding stuffs for cattle, all kinds	per ton	1	0

		s.	d.
Cattle and other live animals, viz.:—			
Horses, asses, mules, bulls, cows, and oxen	each	1	0
Calves, sheep, and pigs	each	0	1½
Lambs and other live animals, except poultry	each	0	1
Live poultry	per dozen	0	3
Coals, all kinds	per ton	0	5
Corn, all kinds	per quarter	0	2
Fish, viz.:—Salmon, herring, and white, all kinds, fresh, cured, salted, and dry	per cwt.	0	1
Flour and meal	per cwt.	0	1
Guano, bones, and other extraneous, artificial, light, or portable manures	per ton	1	0
Hay and straw	per ton	0	8
Lime	per ton	0	5
Or, in the Collector's option	per 8 bushels	0	1
Luggage of each Passenger arriving or leaving, if more than 2 barrels bulk	per barrel bulk	0	2
Manure, common	per ton	0	2
Salt	per ton	1	0
Shell fish, all kinds (bait for fishing exempted)	per cwt.	0	1
Spirits and wine, all kinds	per gallon	0	0½
Stones, undressed	per ton	0	1
Ditto, dressed	per ton	0	2
Ditto, paving	per ton	0	4
Tea	per 80 lbs.	0	5
Timber, unwrought, all kinds, 2 per cent. of value or quantity, at Collector's option.			
All other goods, articles, and effects not enumerated:—			
By weight	per cwt.	0	1¼
Or, in the Collector's option, by measurement	per barrel bulk	0	3

In charging the rates on goods, the gross weight or measurement to be taken, and for any less weight or measurement than those above specified, a proportion of the respective rates shall be charged, not being less than *1d.* for any one box, parcel, or package.

Five cubic feet, not exceeding 2½ cwt., to be rated as a barrel bulk; but when the weight of five cubic feet is greater than 2½ cwt., then 2½ cwt. is to be rated as a barrel bulk.

V.—Rates for the use of Sheds, Cranes, and Weighing Machines.

1. *Sheds.*

For each ton and each 8 barrels bulk of goods which shall remain in any shed, or on the pier, for any longer time than 48 hours, for the first day, or part of a day, 3*d.*; and for each day thereafter, 1½*d.*

2. *Use of Cranes.*

For all goods raised or lowered	per ton	0	2

3. *Use of Weighing Machines.*

For coals, lime, and timber	per ton	0	2
For hay and salt	per load	0	6
For all other goods and commodities	per ton	0	4

Pier and Harbour Orde Confirmation.

A

B I L L

[AS AMENDED BY THE SELECT COMMITTE

For confirming certain Provisional Order by the Board of Trade under The (Pier and Harbour Act, 1861, relat Blackpool, Deal and Walmer, Exmouth Rosehearty, Ilfracombe, Instow, E Chatham, Bray, Dartmouth, and Nair

(*Prepared and brought in by Mr. Milner Gibson and Mr. Hutt.*)

(*Price* 1*s.*)

Ordered, by The House of Commons, *to be Pri*
2 *June* 1863.

[Bill 148.]

Under 12 *oz.*

45

LORDS AMENDMENTS

TO THE

PIER AND HARBOUR ORDERS CONFIRMATION BILL.

In the Title, leave out ("Rhyl")

Leave out all the Portion of the Schedule relating to Rhyl.

[Bill 265.]

LORDS AMENDMENTS

TO THE

PIER AND HARBOUR ORDERS CONFIRMATION BILL.

Ordered, by The House of Commons, *to be Printed,*
23 *July* 1863.

[Bill 265.]

Under 1 *oz.*

A

BILL

FOR

Confirming certain Provisional Orders concerning Pilotage made by the Board of Trade under The Merchant Shipping Act Amendment Act, 1862, relating to the River and Firth of Clyde and to Hartlepool.

WHEREAS a Provisional Order made by the Board of Trade under The Merchant Shipping Act Amendment Act, 1862, does not take effect unless and until it is confirmed by Act of Parliament: Preamble.

And whereas it is expedient that the Provisional Orders made by the Board of Trade under the said Act, and set out in the Schedule hereto, should be confirmed by Act of Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. The Provisional Orders set out in the Schedule hereto shall be and are hereby confirmed, and all the Provisions thereof in Manner and Form as they are set out in the said Schedule shall, from and after Confirmation of Orders.

after the *passing of this Act*, take effect and have full Validity and Force.

Short Title.

2. This Act may be cited as The Pilotage Orders Confirmation Act, 1863.

The

The SCHEDULE of Provisional Orders.

1. Clyde.—Exemption from compulsory Pilotage.
2. Hartlepool.—Constitution of new Pilotage Authority.

CLYDE.

Provisional Order of the Board of Trade for exempting from compulsory Pilotage certain Vessels navigating the River and Firth of Clyde.

Whereas by The Clyde Navigation Consolidation Act, 1858, it was (among other things) provided that it should not be lawful for any person to navigate without a Pilot, or for any person except the Pilots licensed by the then existing Pilotage authorities, or by the Pilot Board therein provided, to act in piloting any vessel, exceeding sixty tons burden, in any part of the River Clyde as defined by the said Act; and that every person navigating or piloting, or attempting to navigate or pilot, any vessel exceeding the said burden in any part of the River without being so licensed should be liable to the penalty therein mentioned: Preamble.

And whereas, under The Merchant Shipping Amendment Act, 1862, the Pilot Board appointed by or under the authority of The Clyde Navigation Consolidation Act, 1858, made application by a memorial to the Lords of the Committee of Her Majesty's most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, hereinafter called The Board of Trade, praying their Lordships to grant a Provisional Order containing powers for the exemption of all vessels navigating the River Clyde between the bridge of Glasgow and the southernmost point of the island of Little Cumbrae, of a burden of less than one hundred tons, if towed by the power of steam, from the necessity or being obliged, except as therein mentioned, to employ on board, or to pay a licensed Pilot for navigating such vessels, provided that the towing vessel or steam tug, towing vessels not exceeding the said tonnage, shall be navigated by a duly licensed Pilot for the River and Firth of Clyde:

And whereas the Pilot Board published the advertisements which by The Merchant Shipping Act Amendment Act, 1862, they are required to publish:

And whereas the Board of Trade, having considered the said memorial and the benefit to trade which would arise from granting the prayer thereof, have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not have any effect):

NOW, THEREFORE, the Board of Trade do, by this their Provisional Order, in pursuance of The Merchant Shipping Act Amendment Act, 1862, and by virtue and in exercise of the powers thereby in them vested, and of every other power enabling them in this behalf, order —

That, at the expiration of one calendar month from and after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:

Exemption from compulsory Pilotage of vessels between 60 and 100 tons when towed by steam tug of which Master is a licensed Pilot.

1. Notwithstanding anything in section one hundred and thirty-six or any other provision of The Clyde Navigation Consolidation Act, 1858, contained, the Master or Owner of any vessel of the registered tonnage or burden of more than sixty but less than one hundred tons, navigating the River or Firth of Clyde, and being towed or hauled by steam power, shall be exempt from being obliged to employ or have on board a licensed Pilot, or to pay for a licensed Pilot when not employing one: Provided always, that the towing vessel or steam tug shall be in charge of, or be navigated by a duly licensed Pilot for the River and Firth of Clyde; and provided farther, that nothing herein contained shall authorize or imply any right of exemption in favour of vessels exceeding the said registered tonnage or burden to employ and pay a licensed Pilot on board when navigating or plying upon the said River in the terms of and in so far as required by the last-mentioned Act.

Saving for Superannuation Fund, &c.

2. The Superannuation Fund for the benefit of Pilots and their families established by the Pilot Board under the authority of the Clyde Navigation Acts, and the Byelaws and Regulations and Rates of Pilotage passed and fixed by that Board under or by virtue of the said Acts, shall all remain in full force and effect, so far as the same may not be directly or indirectly altered or modified by this Order.

Construction and Short Title.

3. This Order shall, as far as may be, be read together with The Clyde Navigation Consolidation Act, 1858, as if that Act and the Act confirming this Order were one Act, and may be cited as The Clyde Pilotage Order, 1863.

Board of Trade, Whitehall.

Dated this 29th day of June 1863.

(Signed) T. H. FARRER,
Assistant Secretary.

HARTLEPOOL.

Provisional Order of the Board of Trade for constituting Pilotage Commissioners for Hartlepool in the County of Durham, and for regulating their Jurisdiction.

Preamble.

Whereas, under The Merchant Shipping Act Amendment Act, 1862, the shipowners and merchants resident and carrying on business within the port of Hartlepool made application by a memorial to the Lords of the Committee of Her Majesty's Most Honourable Privy Council appointed for the consideration of matters relating to Trade and Foreign Plantations, herein-after called the Board

Board of Trade, praying the Board of Trade to make a Provisional Order under the said Act to transfer that portion of the jurisdiction in pilotage matters within the port of Hartlepool then and now exercised by the Trinity House of Newcastle-upon-Tyne, and the moneys belonging thereto, to a local pilotage authority to be constituted by such Order:

AND WHEREAS notice of the application aforesaid was published according to the requirements of the said Act:

AND WHEREAS the Board of Trade at the time in the said Act appointed in this behalf referred the said application to the pilotage authority of the district, namely the Trinity House of Newcastle-upon-Tyne, and more than six weeks have elapsed since such reference before the making of the present Provisional Order, but no objection to the proposed Provisional Order has been received by the Board of Trade from the said Trinity House:

AND WHEREAS some of the pilots at Hartlepool and West Hartlepool memorialized the Board of Trade against the granting of the proposed Provisional Order:

AND WHEREAS the Board of Trade, after making such inquiries as they thought expedient, and after considering all objections, determined to proceed with the proposed Provisional Order, and accordingly have settled this present Provisional Order, and intend to cause a Bill to be introduced into Parliament for the purpose of obtaining an Act for the confirmation of this Provisional Order (until which confirmation this Provisional Order will not have any effect):

NOW, THEREFORE, the Board of Trade do by this their Provisional Order, in pursuance of The Merchant Shipping Act Amendment Act, 1862, and by virtue and in exercise of the powers thereby in them vested, and of every other power enabling them in this behalf, order—

That, from and immediately after the passing of an Act of Parliament confirming this Provisional Order, the following provisions shall take effect and be in force:

Preliminary.

1. In this Order— Interpretation.

The term "the Act of 1855" means Hartlepool Port and Harbour Act, 1855:

The term "the East Dock Company" means the Company for the time being in actual possession of the works and property at Hartlepool which were at the time of the passing of the Act of 1855 vested in, belonging to, or in the possession of the North Eastern Railway Company, or their Lessees:

The term "the West Dock Company" means the Company for the time being in actual possession of the works and property at West Hartlepool which were at the time of the passing of the Act of 1855 vested in, belonging to, or in the possession of the West Hartlepool Harbour and Railway Company:

The term "the Hartlepool Pilots" means the persons for the time being licensed as Pilots of the port of Hartlepool:

The term "the West Hartlepool Pilots" means the persons for the time being licensed as Pilots of West Hartlepool:

The term "the registered Shipowners of Hartlepool" means the Shipowners registered in the Custom House Books of the port of Hartlepool:

The term "the registered Shipowners of West Hartlepool" means the Shipowners registered in the Custom House Books of the port of West Hartlepool.

Hartlepool Pilotage Commissioners.

Incorporation of Commissioners.

2. There shall be a body of Commissioners for carrying this Order into execution, the full number of whom shall be fourteen, which Commissioners and their successors shall be and are hereby for the purposes of this Order incorporated by the name of The Hartlepool Pilotage Commissioners, and by that name shall be one body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of land and other property for the purposes, but subject to the restrictions, of this Order. The term "the Commissioners" herein-after used means the Hartlepool Pilotage Commissioners.

Appointment and election of Commissioners.

3. The appointment and election of the several Commissioners shall be regulated as follows:—

(1.) The Board of Trade shall, as soon as may be after the passing of an Act confirming this Order, appoint three persons to be Commissioners, and whenever a vacancy is caused by death, resignation, or otherwise in the office of any one of those three Commissioners, shall appoint another person to fill the vacancy, and so toties quoties:

(2.) The Hartlepool Port and Harbour Commissioners incorporated by the Act of 1855 shall, as soon as may be after the passing of an Act confirming this Order, appoint one person to be a Commissioner, and whenever a vacancy is caused by death, resignation, or otherwise, in the office of that Commissioner shall appoint another person to fill the vacancy, and so toties quoties:

(3.) The East Dock Company, acting by the Directors of the Company, shall, as soon as may be after the passing of an Act confirming this Order, appoint one person to be a Commissioner, and whenever a vacancy is caused by death, resignation, or otherwise in the office of that Commissioner shall appoint another person to fill the vacancy, and so toties quoties:

(4.) The West Dock Company, acting by the Directors of the Company, shall, as soon as may be after the passing of an Act confirming this Order, appoint one person to be a Commissioner, and whenever a vacancy is caused by death, resignation, or otherwise in the office of that Commissioner shall appoint another person to fill the vacancy, and so toties quoties:

(5.) The Hartlepool Pilots shall from time to time elect one person to be a Commissioner:

(6.) The West Hartlepool Pilots shall from time to time elect one person to be a Commissioner:

(7.) The registered Shipowners of Hartlepool shall from time to time elect three persons to be Commissioners:

(8.) The registered Shipowners of West Hartlepool shall from time to time elect three persons to be Commissioners.

4. Each

4. Each appointment of a Commissioner (other than Commissioners elected by Pilots and by Shipowners) shall be determinable at any time by the authority which appointed that Commissioner, and (subject thereto and to the other provisions of this Order, and of any Act incorporated herewith) each such appointment shall be operative for *five* years and no longer, but at the end of the term of *five* years an outgoing Commissioner shall be capable of re-appointment. Tenure of office of appointed Commissioners.

5. With respect to the election of Commissioners by the Hartlepool Pilots the following provisions shall take effect :— Election of Commissioners by Hartlepool Pilots.

(1.) The first meeting of Hartlepool Pilots for the election of a Commissioner shall be held at the Town Hall of the borough of Hartlepool within one calendar month after the passing of an Act confirming this Order, at a time to be advertised by Messrs. Turnbull and Bell of West Hartlepool, solicitors, five days at least before the day of meeting, by hand bills posted in the borough of Hartlepool and town of West Hartlepool:

(2.) Annual meetings of Hartlepool Pilots for the election of Commissioners shall be held at the Town Hall aforesaid, or at such other place within the borough of Hartlepool as the Commissioners from time to time appoint, on such day within ten days next before the day of in each year as the Commissioners annually appoint, the place and time of meeting being advertised by the Clerk of the Commissioners five days at least before the day of meeting by hand bills posted in the borough of Hartlepool and town of West Hartlepool:

(3.) Such only of the Hartlepool pilots as are licensed at the time of the passing of an Act confirming this Order shall be entitled to attend the said first meeting and to take part and vote in the election of a Commissioner thereat:

(4.) Such only of the Hartlepool pilots as are licensed on or before the 31st day of December next preceding each annual meeting shall be entitled to attend the said annual meetings and to take part and vote in the election of Commissioners thereat respectively:

(5.) At each annual meeting the Chairman of the Commissioners, or in his unavoidable absence one of the Commissioners appointed by the Board of Trade, shall attend and act as chairman of the meeting:

(6.) The election of Commissioners at the first and each annual meeting shall be made by the majority of licensed pilots present at the meeting:

(7.) Each Commissioner elected at the first or at any annual meeting shall go out of office at the next annual meeting, but shall be re-eligible:

(8.) Section nineteen of The Commissioners Clauses Act, 1847, shall apply in the case of Commissioners elected under the present clause.

6. With respect to the election of Commissioners by the West Hartlepool Pilots, the provisions of the last foregoing section shall apply in that case as if they were here repeated, with the substitution only of the West Hartlepool Pilots for the Hartlepool Pilots, and of the Athenæum of West Hartlepool for the Town Hall of the borough of Hartlepool. Election of Commissioners by West Hartlepool Pilots.

Election of Commissioners by Hartlepool Shipowners.

7. With respect to the election of Commissioners by the registered Shipowners of Hartlepool, the following provisions shall take effect:

(1.) The first meeting of the registered Shipowners of Hartlepool for the election of Commissioners shall be held at the Town Hall of the borough of Hartlepool within one calendar month after the passing of an Act confirming this Order, at a time to be advertised by Messrs. Turnbull and Bell of West Hartlepool, solicitors, five days at least before the day of meeting, by hand bills posted in the borough of Hartlepool and town of West Hartlepool:

(2.) Annual meetings of the registered Shipowners of Hartlepool for the election of Commissioners shall be held at the Town Hall aforesaid, or at such other place within the borough of Hartlepool as the Commissioners from time to time appoint, on such day within ten days next before the day of in each year as the Commissioners annually appoint, the place and time of meeting being advertised by the Clerk of the Commissioners five days at least before the day of meeting by hand bills posted in the borough of Hartlepool and town of West Hartlepool:

(3.) Such only of the registered Shipowners of Hartlepool as are registered at the time of the passing of an Act confirming this Order shall be entitled to attend the said first meeting and to take part and vote in the election of a Commissioner thereat:

(4.) Such only of the registered Shipowners of Hartlepool as are registered on or before the 31st day of December next preceding each annual meeting shall be entitled to attend the said annual meetings and to take part and vote in the election of Commissioners thereat respectively:

(5.) At the first and every such annual meeting a list of the names of the registered Shipowners of Hartlepool, up to and inclusive of the then last 31st day of December, certified under the hand of the Collector of Customs of the port, shall be sufficient evidence of the persons therein being registered Shipowners of Hartlepool, and as such entitled to attend the meeting and take part and vote in the election thereat. The said Collector shall supply a copy of such list to every person requiring the same on payment of the sum of Sixpence for every 100 words of such copy, and copies of such list shall be fixed by the Clerk of the Commissioners on the outer doors of the Town Hall of the borough of Hartlepool and of the Athenæum of West Hartlepool two days at least before the day appointed for the first and each such annual meeting:

(6.) At the first and each such annual election each registered Shipowner of Hartlepool shall be entitled to one vote and no more for each of the persons then proposed to be elected as Commissioners:

(7.) The election of Commissioners at the first and each such annual meeting shall be made by the majority of registered Shipowners of Hartlepool present at the meeting:

(8.) Every person elected as a Commissioner by the registered Shipowners of Hartlepool shall be required to have the following qualification; namely, to possess, in his own right, shipping registered in his own name at the Custom House of the port of Hartlepool on the 31st day of December next before the day of election, such shipping being of

of the then market value, above all encumbrances thereon, of not less than 150 tons of shipping at the port of Hartlepool:

(9.) Such one of the Commissioners elected by the registered Shipowners of Hartlepool at the first meeting as is named last on the list of persons elected shall go out of office at the second meeting, but shall be re-eligible; such one of them as is named second on the list shall go out of office at the third meeting, but shall be re-eligible; the remaining one shall go out of office at the fourth meeting, but shall be re-eligible:

(10.) Each Commissioner elected by the registered Shipowners of Hartlepool at the second meeting, and at subsequent annual meetings, shall go out of office at the third meeting after his election, but shall be re-eligible:

(11.) Section nineteen of the Commissioners Clauses Act, 1847, shall apply in the case of Commissioners elected under the present clause.

Election of Commissioners by West Hartlepool Shipowners.

8. With respect to the election of Commissioners by the registered Shipowners of West Hartlepool, the provisions of the last foregoing clause shall apply in that case as if those provisions were here repeated, with the substitution only of the registered Shipowners of West Hartlepool for the registered Shipowners of Hartlepool.

Incorporation of parts of 10 & 11 Vict. c. 16.

9. The Commissioners Clauses Act, 1847, as far as the same is not inconsistent with the provisions of this Order, shall be incorporated with this Order (this Order being deemed "the Special Act," and the execution of the powers of this Order being deemed "the undertaking"), and shall, as far as the nature and circumstances of the case will admit, apply to the Commissioners collectively and severally, subject to the following provisions:

(1.) No person shall be capable of acting as a Commissioner (other than a person appointed to be a Commissioner by the Board of Trade or elected by Pilots or by Shipowners) unless he is seised or possessed of property to the value or amount of 500*l.*:

(2.) Sections twenty-three to thirty-five, both inclusive, of the last-mentioned Act shall not be incorporated with this Order;

(3.) With reference to section thirty-nine of the same Act, the prescribed number (constituting a quorum) of the Commissioners shall be :

(4.) With reference to section forty of the same Act, the annual meeting of the Commissioners shall be held on or within one week after the day of :

(5.) Section fifty-four of the same Act shall not be incorporated with this Order:

(6.) With reference to section ninety of the same Act, it shall not be obligatory on the Commissioners to cause such statement and account as therein mentioned to be printed:

(7.) With reference to section ninety-two of the same Act, the Commissioners shall from time to time appoint a permanent auditor of the accounts of the Commissioners:

(8.) With reference to the provisions of the same Act with respect to the making of byelaws, licensed pilots under this Order shall be deemed officers of the Commissioners; all byelaws shall be printed, and copies shall be always obtainable by purchase; any byelaws shall not have effect unless and until they are approved by the Board of Trade.

Limits of District.

Definition of Hartlepool Pilotage District.

10. The Hartlepool Pilotage District shall, for the purposes of this Order, be deemed to extend from a point called Black Halls on the north side of the borough of Hartlepool to the southernmost end of the village of Seaton Carew on the south side of that borough.

Pilotage.

Transfer of jurisdiction to Commissioners.

11. The jurisdiction in pilotage matters within the Hartlepool Pilotage District now vested in the Trinity House of Newcastle-upon-Tyne shall be and is hereby transferred to and vested in the Commissioners incorporated by this Order.

Continuance of existing licences.

12. All Pilots licensed for the Hartlepool Pilotage District by the Trinity House of Newcastle-upon-Tyne at the time of the passing of an Act confirming this Order shall be entitled to continue to act as such Pilots under the Commissioners incorporated by this Order for one year after the passing of an Act confirming this Order, without further licence or payment in respect of that year, but in all other respects shall become and be subject to the authority of the Commissioners and the provisions of this Order, as if they had been severally licensed originally under this Order.

Examination and licensing of Pilots.

13. The Commissioners shall examine every person who applies to them for a Pilot licence, for the purpose of ascertaining his skill, knowledge, and experience in relation to the navigating, piloting, and conducting of vessels within the Hartlepool Pilotage District, and may, if they think fit, license and authorize by writing any person so examined and found qualified to act in the capacity of Pilot for navigating, piloting, and conducting vessels as aforesaid.

Licence and renewal fees.

14. Every Pilot to be licensed under this Order shall, on receiving his licence from the Commissioners, pay to them, or to their Clerk for the time being for their use, the sum of *forty shillings* for such his licence; and every Pilot licensed for the Hartlepool Pilotage District by the Trinity House of Newcastle-upon-Tyne at the time of the passing of an Act confirming this Order, or to be licensed under this Order, shall annually pay to the Commissioners, or to their Clerk for the time being for their use, the sum of *ten shillings* for the renewal of his licence; provided, that the Commissioners may from time to time increase or diminish the said licence and renewal fees, or either of them, subject to the approval of the Board of Trade.

Pilotage dues.

15. The following Pilotage dues shall be paid, namely,—

For every British ship or other vessel piloted and conducted within the Hartlepool Pilotage District, between the 1st day of April and the 1st day of October in any year, at the rate of *one shilling and threepence* for every foot of water which such ship or vessel draws:

For every such ship or vessel so piloted and conducted, between the 1st day of October in any year and the 1st day of April in the following year, at the rate of *one shilling and sixpence* for each such foot:

which Pilotage dues shall be paid to the Commissioners or to the Pilot performing such Pilotage duty within five days after the performance thereof; provided, that the Commissioners may from time to time increase or diminish the said Pilotage dues, subject to the approval of the Board of Trade.

16. Nothing

16. Nothing in this Order shall extend to oblige the Owner or Master of any ship or vessel to employ or make use of any Pilot in piloting or conducting such ship or vessel within the Hartlepool Pilotage District if he is not desirous so to do, or to pay any Pilotage dues when not employing or making use of a Pilot. Pilotage not compulsory.

Miscellaneous.

17. All money standing in the books of the Trinity House of Newcastle-upon-Tyne to the credit of the Hartlepool Pilotage District at the time of the passing of an Act confirming this Order shall be paid to the Commissioners incorporated by this Order. Transfer of Pilotage money to Commissioners.

18. If the services of any persons at the time of the passing of an Act confirming this Order permanently employed by the Trinity House of Newcastle-upon-Tyne on duties connected with the pilotage at Hartlepool are not continued by the Commissioners, the Commissioners shall grant compensation to such persons out of the monies to come into their hands by virtue of this Order, such compensation not to be granted except under such circumstances and to such an amount as might be granted under the Act or Acts for the time being in force with respect to compensation for abolition of office in the public Civil Service. Compensation to Officers no longer employed by Commissioners.

19. Nothing in this Order shall exempt the Commissioners or the port of Hartlepool from the provisions of any general Act of Parliament, now in force or hereafter to be passed, relating to Pilotage or Pilotage dues, or to merchant shipping, or to ports, harbours, or docks, or to dues on shipping, or on goods carried therein, or from any future revision and alteration, under the authority of Parliament, of the Pilotage dues authorized by this Order, or of the limits of the Hartlepool Pilotage District defined by this Order. Saving for effect of general Acts.

20. This Order may be cited as The Hartlepool Pilotage Order, 1863. Short title.

Board of Trade, Whitehall.

Dated this 29th day of June 1863.

(Signed) T. H. Farrer,
Assistant Secretary.

Pilotage Orders Confirmation.

A

B I L L

For confirming certain Provisional Orders concerning Pilotage made by the Board of Trade under The Merchant Shipping Act Amendment Act, 1862, relating to the River and Firth of Clyde and to Hartlepool.

(*Prepared and brought in by Mr. Milner Gibson and Mr. Hutt.*)

Ordered, by The House of Commons, *to be Printed* 3 *July* 1863.

[Bill 206.]

Under 2 oz.

A

BILL

TO

Prohibit the Sale and Use of poisoned Grain in certain Cases.

WHEREAS it is expedient to prohibit the Sale and Use of poisoned Grain in certain Cases: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. Any Person who shall knowingly and wilfully expose for Sale or Sell any Poison or Poisonous Ingredient, or any Grain which has been so steeped or dipped in Poison, or with which Poison has been so mixed as thereby to render the same Poisonous and calculated to destroy Life, with Intent that such Poison or Poisonous Ingredient, or such Grain as aforesaid, should be used for the Purpose of injuring or destroying any Birds or Animals, shall in either Case for every such Offence, upon summary Conviction thereof before *Two* Justices of the Peace in England or Ireland, or *Two* Justices of the Peace or the Sheriff in Scotland, forfeit and pay such Sum of Money not exceeding *Ten Pounds*, as to the said Justices or Sheriff respectively shall seem meet, together with the Cost of such Conviction. Sale of Poisoned Grain prohibited.

2. Any

Purchase of Poisoned Grain prohibited.

2. Any Person who shall knowingly and wilfully buy any Poison or Poisonous Ingredient, or any Grain which has been so steeped or dipped in Poison, or with which Poison has been so mixed as thereby to render the same Poisonous and calculated to destroy Life, with Intent to use such Poison or Poisonous Ingredient, or such Grain as aforesaid, for the Purpose of destroying any Birds or Animals, shall in either Case for every such Offence, upon summary Conviction thereof before *Two* Justices of the Peace in England or Ireland, or *Two* Justices of the Peace or the Sheriff in Scotland, forfeit and pay such Sum of Money not exceeding *Ten Pounds* as to the said Justices or Sheriff shall seem meet, together with the Costs of such Conviction.

Sowing, &c. of Poisoned Grain prohibited.

3. Any Person who shall knowingly and wilfully sow, cast, set, or place, or cause to be sown, cast, set, or placed, in or upon any Ground, whether open or enclosed, any Poison or Poisonous Ingredient, or any Grain which has been so steeped or dipped in Poison, or with which Poison has been so mixed as thereby to render the same Poisonous and calculated to destroy Life, with Intent thereby to destroy any Birds or Animals, shall in either Case, upon summary Conviction thereof before *Two* Justices of the Peace in England or Ireland, or *Two* Justices of the Peace or the Sheriff in Scotland, forfeit and pay such Sum of Money not exceeding *Ten Pounds* as to the said Justices or Sheriff shall seem meet, together with the Costs of such Conviction.

Act of 11 & 12 Vict. c. 43. and Petty Sessions, Ireland, Act to apply.

4. The Powers and Provisions of the Act of the Eleventh and Twelfth Years of Her present Majesty, Chapter Forty-three, and in Ireland, the Petty Sessions, Ireland, Act, 1851, shall extend and apply to this Act, and to all Proceedings, Matters, and Things to be taken, had, and done, and to all Persons to be proceeded against or taking Proceedings under this Act.

13 *May* 1863. 26 Vict.

A

BILL

TO

Prohibit the Sale and Use of poisoned Grain or Seed, or poisonous Preparations, in certain Cases and the Destruction of Birds not already protected by Law.

WHEREAS it is expedient to prohibit the Sale and Use of poisoned Grain or Seed, or poisonous Preparations, in certain Cases [and the Destruction of Birds not already protected by Law]: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. This Act may be cited for all Purposes as "The Poisoned Grain Prohibition Act, 1863." Short Title of Act.

2. From and after the *passing of this Act*, so much of the Act of the Fourteenth Year of Her present Majesty, Chapter Thirteen, "to regulate the Sale of Arsenic," as permits the Sale and Use of Arsenic for Purposes of Agriculture, shall be and the same is hereby repealed. Repeal of Part of 14 Vict. c. 13.

3. Every

Penalty for selling poisoned Grain, &c.

3. Every Person who shall knowingly and wilfully expose or offer for Sale or sell any Poison or poisonous Ingredient or Preparation, or any Grain or Seed which has been so steeped or dipped in Poison, or with which Poison has been so mixed, as thereby to render the same poisonous and calculated to destroy Life, with Intent that such Poison or poisonous Ingredient or Preparation, or such Grain or Seed as aforesaid, should be used for the Purpose of injuring or destroying any Bird or Animal whatever (except Vermin, as herein-after provided and allowed), shall, upon a summary Conviction thereof as herein-after provided, forfeit any Sum not exceeding *Ten Pounds*.

Penalty for sowing, &c. poisoned Grain, &c.

4. Every Person who shall knowingly and wilfully sow, cast, set, lay, put, or place, or cause to be sown, cast, set, laid, put, or placed, in or upon any Ground, whether open or enclosed, or in any Highway, or in or upon any Tree, or the Hedges, Fences, Ditches, or Banks of such Ground or Highway, or in or upon or by the Side of any Stack of Corn, Grain, Pulse, Tares, Hay, Straw, Haulm, Stubble, or of any cultivated Vegetable Produce then upon such Ground, or any Occupier who shall knowingly permit or suffer to remain exposed in any of such Situations, any Poison or poisonous Ingredient or Preparation, or any Grain or Seed which has been so steeped or dipped in Poison, or with which Poison has been so mixed, or any Meat, Carrion, or other Thing upon or with which any Poison or poisonous Ingredient or Preparation has been so put or impregnated, as thereby to render such Grain, Seed, Meat, Carrion, or other Thing poisonous and calculated to destroy the Life of or injure any Bird or Animal whatever (except Vermin, as herein-after provided), shall, upon a summary Conviction thereof as herein-after provided, forfeit any Sum not exceeding *Ten Pounds*.

Gins baited with Poison allowed, &c.

5. Nothing in this Act shall be deemed to make it unlawful for the Occupier of any Ground, whether open or inclosed, or of any Dwelling House or other Building, to bait, place, or put, or cause to be baited, placed, or put, in or upon any such Ground, Dwelling House, or Building, any Poison or poisonous Ingredient or Preparation with the sole Intent of destroying Rats, Mice, or other Vermin, provided that, in the Case of any such Ground, such Poison or poisonous Ingredient or Preparation is baited or put in some Gin or Trap, and in such a Manner as that no Bird or other Animal can gain Access thereto in order to eat or consume any Part thereof.

A Solution of Blue Vitriol allowed for Use in Agriculture.

6. Nothing in this Act shall prohibit, for Use in Agriculture, the exposing or offering for Sale or selling, or the sowing or setting, of any Grain or Seed which has been steeped or dipped in, or with which has been mixed, a Solution of Sulphate of Copper or Blue Vitriol, in the

the Proportion of One Gallon of Water at the least to One Pound Weight of Sulphate of Copper or Blue Vitriol, and so in proportion for any greater or less Quantity.

Act not to extend to Medical Prescriptions, &c.

7. This Act shall not extend to the Sale of any Poison when the same eforms Part of the Ingredients of any Medicine required to be made up or compounded according to the Prescription of a Physician, Surgeon, or Apothecary, registered under "The Medical Act, 1858," or when such Poison is required for Use in Art, or in the Process of printing, dyeing, bleaching, or otherwise of any manufactured Goods, or to the Sale of any Poison or poisonous Ingredient or Preparation by Wholesale to Retail Dealers, upon Orders in Writing in the ordinary Course of Wholesale Dealing.

Act not to affect Game Laws.

8. This Act shall not affect any of the Provisions of the several Acts of Parliament now in force respectively throughout the United Kingdom relating to Game, or to Certificates or Licences to kill or deal in Game, or to the Destruction, Preservation, or Prevention of Trespasses in pursuit of Game.

Recovery of Penalties.

11 & 12 Vict. c. 43. and 14 & 15 Vict. c. 93. to apply.

9. All Penalties imposed by this Act may be recovered in England or Ireland before Two Justices of the Peace, and in Scotland before Two Justices of the Peace or the Sheriff; and for that Purpose in England and Scotland the Provisions of the Act of the Eleventh and Twelfth Years of Her present Majesty, Chapter Forty-three, and in Ireland, the "Petty Sessions (Ireland) Act, 1851," shall extend and apply to this Act, and to all Proceedings in relation thereto; and it shall not in any such Proceedings be necessary to allege or prove the Bird or Animal (as the Case may be), or the Ground where an Offence is committed, to be the Property of or occupied by any Person: Provided always, that the Informer or Prosecutor (not being a Constable or Peace Officer) in any such Proceeding shall be entitled at the Discretion of the convicting Justices or Sheriff to One Moiety of any Penalty recovered under the aforesaid Enactments: Provided also, that every Informer or Prosecutor, and every Person who shall give Evidence against any other Person proceeded against under this Act, shall be freed and discharged from any such Penalty which he may have incurred for or by reason of his having participated or aided in the Commission of the Offence with respect to which he shall so inform or prosecute or give Evidence, provided the Information against such other Person has been laid, or such Evidence has been given, before the laying of any Information (if any) against such Informer, Prosecutor, or Witness for the Recovery of any Penalty he may have so incurred.

Informer (not a Constable) entitled to Moiety of Penalty.

Indemnity to Witnesses, &c.

Poisoned Grain, &c.
Prohibition.

A

BILL

To prohibit the Sale and Use of poisoned Grain or Seed, or poisonous Preparations, in certain Cases, and the Destruction of Birds not already protected by Law.

(*Prepared and brought in by Mr. Paull, Mr. Sclater-Booth, and Mr. Walter.*)

Ordered, by The House of Commons, *to be Printed*, 13 *May* 1863.

[Bill 121.]

Under 1 *oz.*

A

B I L L

[AS AMENDED IN COMMITTEE]

TO

Prohibit the Sale and Use of poisoned Grain or Seed.

WHEREAS it is expedient to prohibit the Sale and Use of poisoned Grain or Seed: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. This Act may be cited for all Purposes as "The Poisoned Grain Prohibition Act, 1863." Short Title of Act.

2. Every Person who shall offer or expose for Sale or sell any Grain or Seed which has been so steeped or dipped in Poison, or with which any Poison or any Ingredient or Preparation has been so mixed, as thereby to render the same poisonous, and calculated to destroy Life, shall in either Case for every such Offence, upon summary Conviction, as herein-after provided, forfeit any Sum not exceeding Ten Pounds. Penalty for selling poisoned Grain or Seed.

3. Every

Penalty for sowing, &c. poisoned Grain or Seed.

3. Every Person who shall knowingly and wilfully sow, cast, set, lay, put, or place, or cause to be sown, cast, set, laid, put, or placed, into, in, or upon any Ground or other exposed Place or Situation, any Grain or Seed which has been so steeped or dipped in Poison, or with which Poison or any Ingredient or Preparation has been so mixed as thereby to render such Grain or Seed poisonous, and calculated to destroy Life, shall, upon a summary Conviction thereof as herein-after provided, forfeit any Sum not exceeding Ten Pounds.

Solutions or Infusions, &c. allowed for Use in Agriculture.

4. Nothing in this Act shall prohibit the offering or exposing for Sale or selling or the Use of any Solution or Infusion, or any Material or Ingredient for dressing, protecting, or preparing any Grain or Seed for bonâ fide Use in Agriculture only.

Recovery of Penalties.

11 & 12 Vict. c. 43. and 14 & 15 Vict. c. 93. to apply.

5. All Penalties imposed by this Act may be recovered in England and Ireland before Two Justices of the Peace, and in Scotland before Two Justices of the Peace or the Sheriff; and for that Purpose in England and Scotland the Provisions of the Act of the Eleventh and Twelfth Years of Her present Majesty, Chapter Forty-three, and in Ireland, the "Petty Sessions (Ireland) Act, 1851," shall extend and apply to this Act, and to all Proceedings in relation thereto; and it shall not in any such Proceedings be necessary to allege or prove the Ground or other Place where an Offence is committed to be the Property of or occupied by any Person: Provided always, that the convicting Justices or Sheriff may, if they or he shall think fit, award to the Informer or Prosecutor (not being a Police Constable or Peace Officer) in any such Proceedings any Portion not exceeding One Moiety of any Penalty recovered under the aforesaid Enactments: Provided also, that every Informer or Prosecutor, and every Person who shall give Evidence against any other Person proceeded against under this Act, shall be freed and discharged from any such Penalty which he may have incurred for or by reason of his having participated or aided in the Commission of the Offence with respect to which he shall so inform or prosecute or give Evidence, provided the Information against such other Person has been laid, or such Evidence has been given, before the laying of any Information (if any) against such Informer, Prosecutor, or Witness for the Recovery of any Penalty he may have so incurred.

Informer (not a Constable) entitled to Moiety of Penalty.

Indemnity to Witnesses, &c.

A

BILL

FOR

The Prevention of accidental Poisoning.

WHEREAS it is expedient to prevent accidental Poisoning: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. From and after the *First Day of November One thousand eight hundred and sixty-three* no Substance of a poisonous Nature, or calculated to injure or endanger Human Health or Life if taken internally shall be sold or exposed for Sale by Retail in any Paper or other Packet, but only in a Glass Phial or Bottle of a hexagonal Shape, of which Five Sides shall be fluted, and on the remaining Side thereof a Label shall be affixed with the Word "Poison" and Directions for Use distinctly marked thereon; and every Person who shall act in contravention of this Act shall for every such Offence, on a summary Conviction for the same before Two Justices of the Peace at Petty Sessions in England, and in Scotland before Two Justices of the Peace in Justice of the Peace Court, or before the Sheriff Substitute of the County, or before Justices at Petty Sessions or a Divisional Justice in Ireland, forfeit and pay a Penalty not exceeding *Five Pounds*, together with such Costs attending such Conviction Substances of a poisonous Nature to be sold in Glass Bottles.

Conviction as to the said Justices shall seem reasonable; and if any Person so convicted shall afterwards commit the like Offence it shall be lawful for such Justices to cause such Offender's Name, Place of Abode, and Offence to be published, at the Expense of such Offender, in such Newspaper or in such other Manner as to such Justices shall seem desirable.

A

B I L L

TO

Confirm a certain Provisional Order under the General Police and Improvement (Scotland) Act, 1862, relating to the Burgh of Leith.

WHEREAS the Secretary of State for the Home Department, being One of Her Majesty's Principal Secretaries of State, has, under the Provisions of the General Police and Improvement (Scotland) Act, 1862 (25 & 26 Vict. cap. 101.) duly made a certain Provisional Order, which is contained in the Schedule to this Act annexed, and it is provided by the first herein-before recited Act that no such Order shall be of any Validity whatever until it has been confirmed by Parliament; and it is expedient that the said Order shall be so confirmed: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. The Provisional Order contained in the Schedule hereunto annexed shall, from and after the *passing of this Act*, be absolute and be as binding and of the like Force and Effect as if the Provisions of the same had been expressly enacted in this Act. Provisional Order in Schedule.

This Act incorporated with 25 & 26 Vict. c. 101.

2. This Act shall be deemed to be incorporated with the General Police and Improvement (Scotland) Act, 1862, and shall be as if this Act and the General Police and Improvement (Scotland) Act, 1862, were One Act.

Short Title.

3. In citing this Act in any other Act, or in any Proceeding, Instrument, or Document whatsoever, it shall be sufficient to use the Words and Figures "The General Police and Improvement (Scotland) Supplemental Act, 1862."

SCHEDULE referred to in the foregoing Act.

LEITH.

GENERAL POLICE and IMPROVEMENT (SCOTLAND) ACT, 1862.—
(25 & 26 Vict. cap. 101.)

Whereas in pursuance of the General Police and Improvement (Scotland) Act, 1862, the Provost, Magistrates, and Council of the Burgh of Leith adopted the said Act, "in whole."

And whereas at the date of the said adoption there was in operation in the said Burgh a Local Police Act, in which were contained certain matters not provided for in the said General Police and Improvement (Scotland) Act.

And whereas there is in the said Burgh a Local Act now in force (11 & 12 Vict. cap. cxxiii.) having relation to certain Roads or Streets within the said Burgh, formerly called or known by the name of Statute Labour Roads or Streets, under which Acts an assessment is levied for the maintenance thereof upon "the Tenants and Occupiers of Dwelling-houses," every other description of property being exempt from the said assessment.

And whereas a Petition under the said General Police and Improvement (Scotland) Act has been addressed to me, as one of Her Majesty's Principal Secretaries of State, praying for the repeal and alteration of certain portions of the said Local Act, and that provision may be made in respect thereto.

And whereas it is desirable to state the parts of the said Local Police Act which relate to matters not provided for by the Act so adopted as aforesaid, and remaining in force notwithstanding such adoption, and that provision should otherwise be made to regulate the future application and execution of the said General Act and the other Act above referred to now in force within the said Burgh.

And whereas due inquiry has been directed and held in respect of the matters mentioned in the said Petition.

Now,

Now, therefore, in pursuance of the powers vested in me by the said General Police and Improvement (Scotland) Act, 1862, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my hand, direct that from and after any Act of Parliament confirming this present Order—

1.—The parts of the Local Police Act 11 & 12 Vict. cap. cxxiii., mentioned in the Schedule hereunto annexed, shall be repealed, and the other parts of the said Act mentioned in the Schedule hereunto annexed shall be held as relating to matters not provided for in the above-mentioned General Police and Improvement (Scotland) Act, and not repealed; and the said General Police and Improvement (Scotland) Act, and the parts of the said Local Police Act not hereby repealed shall be incorporated and read as one Act so far as regards the Burgh of Leith.

2.—All future assessments for the maintenance of the said roads or streets under the superintendence and management of the Provost, Magistrates, and Council of the said Burgh of Leith, as Trustees for the Leith District of Roads, shall be charged upon or levied from the tenants and occupiers of all lands and heritages, instead of from "the tenants and occupiers of "dwelling-houses" only, and that according to the Valuation Roll made up and completed in terms of the Acts in force for the valuation of lands and heritages in Scotland, but only for a period of *seven years* from and after the first term of Whitsunday after the passing of the Act confirming this Provisional Order; and the whole powers and jurisdictions relative to the recovery of the assessments presently levied for the maintenance of the said Roads or Streets now in force, shall extend and apply to the assessments hereby authorized to be charged and levied.

3.—During the currency of the said period the said roads or streets shall be properly paved, and at the expiry of the said *seven years* the said assessment shall cease and determine, and thereafter the said roads or streets shall be maintained and dealt with in the same manner as the other streets of the Burgh, and all funds and all obligations applicable to the said other streets in the Burgh shall be applicable to the said roads or streets.

4.—In the event of the said roads or streets being paved to the satisfaction of the Provost, Magistrates, and Council of Leith, as Commissioners of Police for the said Burgh, within a less period than the period of *seven years* aforesaid, it shall be lawful for the said Provost, Magistrates, and Council, as Commissioners aforesaid, to undertake the future maintenance and repair thereof, in which event the separate assessments therefor shall cease and determine in the same manner as if the said period of *seven years* had expired.

5.—Nothing herein contained shall be deemed or construed to exempt the said roads or streets from the provisions of any General Act relating to Statute Labour Roads or Streets which may be passed during the present or any future Session of Parliament.

Given under my hand this 19th day of June 1863.

(Signed) G. Grey.

SCHEDULE to which this Order refers.

The parts of the Local Police Act (11 & 12 Vict. cap. cxxiii.) referred to in this Order to be repealed, are as follows:—

So much of the herein-before Act of the 11th and 12th years of the reign of Her present Majesty (cap. cxxiii.) as is included in the sections thereof numbered respectively in the copies thereof printed by the Queen's Printers, 2, 8 to 14, both inclusive; 22 to 29, both inclusive; 31, 33 to 61, both inclusive; 68, 71, 72, 74 to 93, inclusive; 99 to 116, both inclusive; 118 to 261, both inclusive; and 263 to 270, both inclusive.

The parts of the said Local Police Act referred to in this Order to be held as not repealed, and to apply to the Burgh of Leith, are as follows:—

So much of the herein-before recited Act of the 11th and 12th years of the reign of Her present Majesty (cap. cxxiii.) as is included in the sections thereof numbered respectively in the copies thereof printed by the Queen's Printers 1, 3, 4, 5, 6, 7, 15 to 21, inclusive; 30, 32, 62 to 67, inclusive; 69, 70, 73, 94 to 98, inclusive; 117, 262, and 271.

A

B I L L

To confirm a certain Provisional Order under the General Police and Improvement (Scotland) Act, 1862, relating to the Burgh of Leith.

(*Prepared and brought in by Mr. Bruce and Sir George Grey.*)

Ordered, by The House of Commons, *to be Printed,* 23 *June* 1863.

[Bill 184.] *Under* 1 *oz.*

24 *June* 1863. 26 & 27 Vict.

A

BILL

TO

Continue the Poor Law Board for a limited Period.

WHEREAS by the Act of the Eleventh Year of the Reign of Her Majesty, Chapter One hundred and nine, Provisions were made for the Constitution and Appointment of Commissioners for administering the Laws for the Relief of the Poor in England, and for the Appointment of other Officers, which Provisions have been continued until the Twenty-third Day of July in this present Year, and it is expedient that such Provisions should be further continued for a limited Period: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same: Preamble.

1. That the Commissioners appointed by Her Majesty the Queen, or to be appointed by Her Majesty, Her Heirs and Successors, under the Authority of the said Act, together with every Person by the said Act constituted in virtue of his Office such Commissioner, and every Officer and Person appointed or to be appointed by the Commissioners under the Provisions of the said Act, shall be empowered, unless he shall previously resign or be removed, to hold his Office and exercise the Powers thereof until *the Twenty-third Day of July One thousand eight hundred and sixty-four, and the End of the then next Session* Poor Law Board continued.

Session of Parliament; and until the Expiration of the said last-mentioned Period it shall be lawful for Her Majesty, Her Heirs and Successors, from Time to Time at pleasure to remove the Commissioners for the Time being appointed by Her Majesty, or to be appointed by Her Majesty, Her Heirs and Successors, and upon every Vacancy in the Office of such Commissioner to appoint, as in the said Act is described, some other fit Person to the said Office.

A

BILL

TO

Amend the Law relating to the Removal of destitute Persons from England and Scotland to Ireland.

Preamble.

WHEREAS it is inexpedient that destitute Persons should be removed from Great Britain to Ireland: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Guardians may relieve within their own Union certain Persons born in Ireland as have become destitute therein.

1. That on and after the *passing of this Act* the Guardians of the Poor of every Union in Great Britain shall make Provision within their own Union for the due Relief of all such Persons as have become destitute in their Union, who have been born in Ireland, as are permanently disabled from Labour by reason of old Age, Infirmity, or bodily or mental Defect, and the Children of such, and of such destitute poor Persons as, being disabled from Labour by reason of severe Sickness or serious Accident, are thereby deprived of the Means of earning a Subsistence for themselves and their Families, whom they are liable by Law to maintain, and the Children of such, and of destitute poor Widows having Two or more legitimate Children dependent upon them, and, in the next place, such other Persons as

as the said Guardians shall deem to be destitute Poor, having become destitute in their Union, and having been born in Ireland, and unable to support themselves by their own Industry, or by other lawful Means; and it shall be lawful for the said Guardians to relieve such poor Persons either in the Workhouse or out of the Workhouse, as to them shall appear fitting and expedient in each individual Case.

Extent of Act.

2. The Provisions of this Act shall not extend to Persons born in Ireland unless they shall have resided *Six* Months in Great Britain.

A

BILL

TO

Authorize the Removal of Poor Persons born in England or Scotland, and chargeable in Ireland.

WHEREAS Persons born in Ireland, and becoming chargeable in England or Scotland, and not having acquired a Settlement there, and not being irremovable therefrom by reason of Length of Residence, are removable by Law to the Place in Ireland in which they were born, or have last resided for the Space of Three Years, but Persons born in England or in Scotland, and becoming chargeable in Ireland, are under no Circumstances removable to England or to Scotland, and it is expedient to provide for the Removal of such Persons from Ireland to England or to Scotland, as the Case may be; Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. If any Person born in England or Scotland shall become chargeable in any Union or Electoral Division of any Union in Ireland, by reason of Relief given to himself or herself, or to his Wife, or to any legitimate or bastard Child, such Person, his Wife, and any Child so chargeable, shall be liable to be removed respectively to England or Scotland; and if the Guardians of such Union complain thereof to any One Justice of the Peace, such Justice may, Provision for Removal of Natives of England or Scotland.

if such Person do not attend voluntarily, summon him to come before any Two Justices of the Peace at any Time and Place to be named in the Summons; and at such Time and Place, or on the Attendance of such Person, any Two Justices may hear and examine into the Matter of such Complaint; and if it be made to appear to their Satisfaction that such Person is liable to be so removed as aforesaid, and if they see fit, they may make and issue a Warrant under their Hands and Seals to remove such Person forthwith, at the Expense of such Union or Electoral Division.

Persons executing Warrants to have the Authority of Constables.

2. Every Person to whom any Warrant made in pursuance of this Act shall be delivered for the Purpose of being carried into execution shall detain and hold in safe Custody every poor Person mentioned therein until such poor Person have arrived at the Place to which he is ordered to be removed, and shall for that Purpose, in every County and Place through which he may pass in the due Execution of such Warrant, have and exercise the Powers with which a Constable is by Law invested, notwithstanding such Person may not otherwise be empowered to act as a Constable for such County or Place.

No Person to be removed from a Union in which he shall have resided Three Years.

3. No Person shall be removed nor shall any Warrant be granted for the Removal of any Person from any Union in which such Person shall have resided for *Three* Years next before the Application for the Warrant: Provided always, that the Time during which such Person shall be a Prisoner in a Prison, or shall be serving Her Majesty as a Soldier, Marine, or Sailor, or reside as an In-Pensioner in the Royal Hospital at Kilmainham, or shall be confined in a Lunatic Asylum, or House duly licensed or Hospital registered for the Reception of Lunatics, or as a Patient in a Hospital, or during which such Person shall receive Relief from any Union, shall for all Purposes be excluded in the Computation of Time herein-before mentioned: Provided always, that whenever any Person shall have a Wife or Children such Wife and Children shall be removable whenever he or she is removable, and shall not be removable when he or she is not removable.

Widow not to be removed within Twelve Months after Death of Husband.

4. No Woman residing in any Union with her Husband at the Time of his Death shall be removed nor shall any Warrant be granted for her Removal from such Union for *Twelve* Calendar Months next after his Death, if she so long continue a Widow.

Children not liable to be removed unless Parents removable.

5. No Child under the Age of *Sixteen* Years, whether legitimate or illegitimate, residing in any Union with his or her Father or Mother, Stepfather or Stepmother, or reputed Father, shall be removed nor shall any Warrant be granted for the Removal of such Child from such

such Union in any Case where such Father, Mother, Stepfather, Stepmother, or reputed Father may not lawfully be removed from such Union.

Persons becoming chargeable through Sickness not removable, except under certain Circumstances.

6. No Warrant shall be granted for the Removal of any Person becoming chargeable in respect of Relief made necessary by Sickness or Accident.

Provision as to Orphan Children under 16 Years of Age.

7. Where a Child under the Age of *Sixteen* Years, residing with its surviving Parent, shall be left an Orphan, and such Parent shall at the Time of Death have acquired an Exemption from Removal by reason of a continued Residence, such Orphan shall, if not otherwise irremovable, be exempt from Removal in like Manner and to the same Extent as if it had then acquired for itself an Exemption from Removal by Residence.

Provision as to Women deserted by their Husbands.

8. Where a married Woman shall have been or shall be deserted by her Husband, and shall after his Desertion reside for *Three* Years in such a Manner as would, if she were a Widow, render her exempt from Removal, she shall not be liable to be removed from the Union wherein she shall be resident, unless her Husband return to cohabit with her.

Application for Warrant of Removal to be heard in Petty Sessions or Police Magistrate in his Court.

9. No Application for a Warrant ordering the Removal from any Union in Ireland of any poor Person who shall have become chargeable in such Union shall be heard and determined except by Two or more Justices in Petty Sessions assembled, or by a Metropolitan Divisional Magistrate sitting in his Court, which Justices or Magistrate (as the Case may be) shall see such poor Person or the Person who is the Head of the Family proposed to be removed, and shall be satisfied that every Person who is proposed to be removed by the Warrant is in such a State of Health as not to be liable to suffer bodily or mental Injury by the Removal.

Warrant to contain Name, Age, and other Particulars as to Persons to be removed.

10. Such Warrant of Removal shall be granted only on the Application of the Relieving Officer or other Officer of the Guardians of the Union where such poor Person shall become chargeable, and shall contain the Name and reputed Age of every Person ordered to be removed by virtue of the same, and the Name of the Place in England or Scotland where the Justices or Magistrate shall find such Person to have been born or to have last resided for the Space of *Three* Years, and a Statement of such Examination having been made as to the State of Health of every Person ordered to be removed as aforesaid; and such Warrant shall be addressed to the Party applying for the same, and in the Case of a Removal to England to the Guardians of the Union or Parish to which such poor Person is to

be removed, and in the Case of a Removal to Scotland to the Parochial Board or Inspector of the Poor of the Parish or Combination to which such poor Person is to be removed, and a Copy shall be given by and at the Cost of the Person applying for such Warrant to the Person or the Head of the Family about to be removed by virtue of it: Provided that in the Case of any Native of England or Scotland who shall have been absent from Ireland less than *Twelve* Months the Pauper may, if the Guardians applying for the Warrant, and the Justices or Magistrate issuing it think fit, be removed to any Place other than that above described, with his Consent; and provided also, that in any Case where the Justices or Magistrate shall not be able to ascertain upon the Evidence before them the Place of Birth or of such continued Residence as aforesaid, they shall order the Pauper to be removed to the Port in England or Scotland which shall in the Judgment of such Justices or Magistrate under the Circumstances of the Case be most convenient.

Copy of Warrant to be sent by Post to Guardians of the Union or Parish to which the Removal is to be made.

11. The Guardians obtaining the Warrant shall send a Copy of it by Post to the Clerk of the Board of Guardians of the Union or Parish in England, or, in case of a Removal to Scotland, to the Inspector of the Poor of the Parish or Combination in Scotland to which the Removal is to be made.

Warrant to Order poor Persons to be conveyed to the Place mentioned therein.

12. Such Warrant shall order the Removal of the poor Person to be made to the Place mentioned therein as aforesaid, and shall order the Persons charged with the Execution thereof to cause such poor Person with his Family (if any) to be safely conveyed to such Place in England or Scotland, as the Case may be, to be delivered, in the Case of a Removal to Scotland, to the Inspector of the Poor of the Parish or Combination, and in the Case of a Removal to England at the Workhouse of such Place, or the Workhouse of the Union comprising such Place, or at the Workhouse of the Union or Parish containing the Port or Place nearest to the Place mentioned in the Warrant as the Place of the Pauper's ultimate Destination.

Masters of Workhouses and Inspectors of Poor to receive poor Persons named in the Warrant, under a Penalty of 10*l.*

13. The Master of the Workhouse of the Union or Parish in England and the Inspector of the Poor of the Parish or Combination in Scotland to which (as the Case may be) such Warrant is addressed shall be bound to receive Delivery of the poor Person named in such Warrant, under a Penalty of *Ten Pounds* for each Case of Refusal, which Penalty may be recovered by the Person applying for such Warrant by an Action in any County Court in England, or Sheriff Court in Scotland, or other competent Court having Jurisdiction in the Place where such Master is resident at the Time when such Action is brought.

14. If

Parochial Boards and Guardians may forward the Persons removed to Place of ultimate Destination, and recover Cost.

14. If by reason of the Default of the Guardians or other Person having charge of such Warrant or otherwise the poor Person named therein shall not be removed to the Place of ultimate Destination, the Guardians of the Union or Parish in England, or Parochial Board of the Parish or Combination in Scotland, (as the Case may be,) to which he has been removed, may, if they think fit, cause the Pauper to be removed forthwith to the Place mentioned in the Warrant, and shall be entitled to be reimbursed the Costs incurred in such Removal by the Guardians of the Union or other Person on whose Application the Warrant was obtained, such Costs being the actnal Expense incurred in and about the Conveyance and Maintenance of each Person so removed, which Costs may, if not paid on Demand, be recovered by an Action in the Court of Quarter Sessions in Ireland, or other competent Court having Jurisdiction in the Place from whence the Removal shall have taken place.

Women and Children not to be removed as Deck Passengers during certain Periods of the Year.

15. It shall be unlawful to remove any Woman or any Child under the Age of *Fourteen* as a Deck Passenger in any Vessel from Ireland to England or Scotland during the Period from the *First of October to the Thirty-first of March following*.

Poor Removal (No. 2).

A

BILL

To authorize the Removal of Poor Persons born in England or Scotland, and chargeable in Ireland.

(*Prepared and brought in by Mr. Herbert, Mr. Monsell, and Mr. Butt.*)

Ordered, by The House of Commons, *to be Printed,* 28 *April* 1863.

[Bill 96.]

Under 1 *oz.*

505

Port Erin Harbour (Isle of Man) Bill.

ARRANGEMENT OF CLAUSES.

CLAUSES.

1. Approval of Works by Board of Trade.
2. Power for Commissioners to take Dues in Schedule.
3. Collection of Dues.
4. Borrowing Power.
5. Application of Dues.
6. Accounts and Reports of Commissioners.
7. Application of Part I. of 25 & 26 Vict. c. 47.
8. Transfer of Powers from Admiralty to Board of Trade, 23 & 24 Vict. c. 56. ss. 6, 7.
9. Short Title.

SCHEDULE.

14 *May* 1863. 26 Vict.

A

B I L L

TO

Authorize the taking of Harbour Dues at Port Erin in the Isle of Man, in order to provide a Fund for the Improvement of the Harbour; and for other Purposes.

WHEREAS it is desirable that Improvements should be made in the Harbour of Port Erin in the Isle of Man, so that the same may be rendered more serviceable as a Shelter for Vessels employed in the Herring Fishery, and other Vessels: Preamble.

And whereas the Harbour Commissioners of the Isle of Man, herein-after called The Commissioners, are empowered and intend to make such Improvements; and it is expedient that for defraying the Expenses thereof the Commissioners should be authorized by Act of Parliament to take Dues on Vessels using the Harbour when improved, and to borrow Money on the Security of the Dues:

May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and

Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Approval of Works by Board of Trade.

1. All Works for and connected with the making of the intended Improvements in the Harbour of Port Erin, herein-after called the Harbour, shall be executed subject to the Approval and in conformity with any Directions of the Lords of the Committee for the Time being of Her Majesty's Privy Council appointed for the Consideration of Matters relating to Trade and Foreign Plantations, herein-after called the Board of Trade.

Power for Commissioners to take Dues in Schedule.

2. Subject and according to the Regulations in the Schedule to this Act, the Commissioners may take, in respect of the Vessels in that Schedule described, any Dues not exceeding the Dues in that Schedule specified, as follows:

As soon as the Pier which is intended to be constructed by the Commissioners as Part of the intended Improvements is carried out into the Sea, sufficiently constructed to form a Shelter for Vessels, for a Distance of Three hundred Feet from the Shore at Low-water Mark at ordinary Spring Tides, then the Dues in the First Column of that Schedule specified:

As soon as the same Pier is so carried out for a further Distance of One hundred and fifty Feet, then the Dues in the Second Column of that Schedule specified:

A Certificate signed by the Receiver General of the Isle of Man certifying that the Pier has been so carried out for a Distance of Three hundred Feet or of Four hundred and fifty Feet, as the Case may be (which Certificate he shall sign and give on being satisfied in that Behalf), shall be conclusive Evidence thereof.

Collection of Dues.

3. With respect to the Collection of the Dues, the following Provisions shall take effect:

(1.) A Collector, and, if necessary, a Sub-Collector, to collect the Dues, shall be from Time to Time appointed by the Receiver General of the Isle of Man, at such Salary as the Commissioners from Time to Time direct, payable in the Manner and out of the Fund in and out of which the Salaries of the Harbour-masters of the Isle of Man are for the Time being paid, and may from Time to Time be removed from Office by the Receiver General:

(2.) The Collector or Sub-Collector may board any Vessel appearing to him to be liable to Dues for the Purpose of ascertaining the Dimensions of the Vessel, and demanding and receiving the Dues:

(3.) In

(3.) In case of Nonpayment, on Demand, of any Dues payable for any Vessel, the Collector or Sub-Collector may distrain the Tackle or Nets on board thereof; and in case the Dues are not paid within *One Fortnight* after such Distress, the Collector or Sub-Collector may sell such Tackle or Nets, or a sufficient Part thereof, by Public Auction, and apply the Proceeds in or towards Payment of the Dues, and of the Expenses incurred in or about the Distress and Sale, rendering the Surplus, if any, to the Person in Charge of the Vessel:

(4.) The Collector shall monthly, or (if required) oftener, account to the Receiver General for all Sums received by the Collector or Sub-Collector in respect of Dues, and pay over to the Receiver General all Sums in the Hands of the Collector in respect thereof:

(5.) If the Collector refuses or neglects to do so, he shall for each Offence be liable to forfeit a Sum not exceeding *Twenty Pounds*, to be recovered by Suit before the Water Bailiff of the Isle of Man, on Petition, in the Name of the Receiver General, and to be applied as Sums received in respect of Dues are applicable.

Borrowing Power.

4. The Commissioners or the major Part of them (the Receiver General or his Deputy being One) may from Time to Time, with the Approval of the Board of Trade, testified in Writing signed by a Secretary or Assistant Secretary of the Board, borrow at Interest from any Commissioners, Body, or Person, on the Security of the Dues leviable under this Act, or on that Security jointly with any other Security, or on any such other Security alone, such Money as may seem necessary for the making and maintaining of the intended Improvements of the Harbour.

Application of Dues.

5. The Commissioners shall apply all Money received by them in respect of the Dues, and all other Money coming to their Hands from the Harbour or the Lands or Property connected therewith, for the Purposes and in the Order following, and not otherwise:

(1.) In paying any Expenses preliminary to or connected with the Preparation and passing of this Act:

(2.) In paying the Expenses of the Maintenance, Management, and Regulation of the Harbour and of the Lands and Property connected therewith:

(3.) In paying the Interest on any Money borrowed under this Act, and any Sum payable on account of the Principal thereof:

And the Commissioners shall from Time to Time, subject to the Approval and in conformity with any Directions of the Board of Trade, revise the Scale of Dues received under this Act, so that the Produce thereof may always be, as far as is practicable, sufficient, and not more than sufficient, for the Payments before in the present Section directed, but so that the Dues levied do never exceed in Amount the Dues specified in the Schedule to this Act.

Accounts and Reports of Commissioners.

6. The Accounts of the Receipts, Expenditure, Credits, and Liabilities of the Commissioners under this Act shall be kept and audited, and the same, or proper Abstracts thereof, shall be published in such Form and Manner, and at such Times, as the Board of Trade from Time to Time directs or approves; and a proper Abstract of all such Accounts, together with a Report of the Commissioners on their Proceedings, and on the Works executed by them under this Act, and the State of the Harbour, shall be annually furnished by them to the Board of Trade.

And whereas it may be doubted whether the Public Works Loan Commissioners are empowered to make, and Harbour Authorities to obtain from them, Loans for Harbours in the Isle of Man, under and according to the Provisions of The Harbours and Passing Tolls, &c. Act, 1861, and it is expedient to preclude such Doubt: Therefore, the following Provision shall take effect:

Application of Part I. of 25 & 26 Vict. c. 47.

7. Part I. of The Harbours and Passing Tolls, &c. Act, 1861, and any Enactments amending it, shall extend to the Isle of Man.

Transfer of Powers from Admiralty to Board of Trade.

23 & 24 Vict. c. 56. ss. 6, 7.

8. From and after *the passing of this Act*, Sections Six and Seven of the Act of the Session of the Twenty-third and Twenty-fourth Years of Her Majesty (Chapter Fifty-six), "to make further Pro- "vision for Improvements in the Harbours of the Isle of Man," shall be read as if the Board of Trade were named in those Sections instead of the Lord High Admiral of the United Kingdom or the Commissioners for executing his Office.

Short Title.

9. This Act may be cited as The Isle of Man Harbours Act, 1863.

SCHE-

SCHEDULE.

HARBOUR DUES.

TABLE I.

	First Column. s.	First Column. d.	Second Column. s.	Second Column. d.
For every Vessel of the Burden of upwards of Five Tons and under the Burden of Fifteen Tons, per Vessel -	*1*	*0*	*1*	*0*
For every Vessel of the Burden of Fifteen Tons or upwards, per Ton - - - - - -	*0*	*3*	*0*	*4*

TABLE II.

For every Vessel laid up in the Harbour for any Time between the *First of October* in One Year and the *First of July* in the next Year, payable in advance - -	*5*	*0*	*5*	*0*
For every Vessel of the Burden of Fifteen Tons or upwards, lying in the Harbour longer than *Fourteen* Days between the *First of July* in any Year and the *First of October* in the same Year, for every additional Period of *Ten* Days, per Ton - - - - -	*0*	*2*	*0*	*2*

REGULATIONS.

1. The Dues in Table I. are to be paid for every Vessel for each Time of entering the Harbour.

2. The Owner of a Vessel under the Burden of Thirty Tons may compound for the Dues for the Herring Fishing Season for the Sum of Two Pounds, or for the whole Year for the Sum of *Three Pounds*, in either Case payable in advance.

The Owner of a Vessel of Thirty Tons or upwards and under Fifty Tons may compound for the Dues for the Herring Fishing Season for the Sum of *Four Pounds*, or for the whole Year for the Sum of *Six Pounds*, in either Case payable in advance.

3. For every Vessel windbound or in Ballast *One Half* only of the aforesaid Dues is to be leviable.

4. Steam Vessels are to pay the same Dues as Sailing Vessels.

5. The Tonnage of Vessels is to be ascertained according to The Merchant Shipping Act, 1854, and the amending Acts, and in the Case of British Vessels is to be the registered Tonnage.

6. A Vessel for which Dues have been paid, being obliged, from Stress of Weather or other sufficient Cause, after leaving the Harbour to return within *Twenty-four* Hours with the same Cargo (if any) is not to be again liable for Dues.

7. The following Vessels are exempt from Dues: namely, Vessels of or in the Service of Her Majesty, or of any Member of the Royal Family; Vessels in the Service of the Board of Trade, Customs, or Excise, or under Seizure by Officers of Revenue, or in the Service of a General Lighthouse Authority (within the Meaning of The Merchant Shipping Act, 1854); Packet Boats or Post Office Packets (as defined in any Act relating to the Post Office); and Yachts belonging to Members of Royal Yacht Clubs in the United Kingdom.

8. For the Purposes of the Dues, the Harbour is to be taken as comprising the whole of Port Erin Bay included within a Line drawn from the Rock called the Castles at the South Side of the Bay to the Rock called the Skerranes at the North Side, and the Shore of the Bay to High-water Mark at ordinary Spring Tides.

Port Erin Harbour (Isle of Man).

A

BILL

To authorize the taking of Harbour Dues at Port Erin in the Isle of Man, in order to provide a Fund for the Improvement of the Harbour; and for other Purposes.

(*Prepared and brought in by Mr. Milner Gibson and Mr. Hutt.*)

Ordered, by The House of Commons, *to be Printed*, 14 *May* 1863.

[Bill 123.]

Under 1 *oz.*

LORDS AMENDMENTS

TO THE

PORT ERIN HARBOUR (ISLE OF MAN) BILL.

Note.—*The Page and Line refer to the Bill* (169.) *as printed by the Lords.*

Page 1. Line 6. After ("Man") insert ("appointed in pursuance "of an Act passed in the Eleventh Year of the Reign of His Majesty "King George the Third, intituled 'An Act for repairing, amend-"'ing, and supporting the several Harbours and Sea Ports in the "'Isle of Man'")

Page 4. Line 29. After ("Office") insert Clause A.

Clause A. Whereas by an Act passed in the Eleventh Year of the Reign of His Majesty King George the Third, intituled "An Act for "repairing, amending, and supporting the several Harbours and Sea "Ports in the Isle of Man," and by another Act passed in the Fifty-fourth Year of the Reign of His said Majesty King George the Third, intituled "An Act to repeal the Duties granted by an Act passed in the Eleventh Year of His present Majesty for repairing, amending, and supporting the several Harbours and Sea Ports in the Isle of Man, and for granting new Duties in lieu thereof, and for giving further Powers to the Commissioners appointed under the said Act," the Commissioners therein named, and who are the same who in the present Act are called "the Commissioners," are empowered to make certain Byelaws, Orders, and Regulations with respect to the Harbours of the Isle of Man, and to annex certain Penalties: And whereas it is desirable to make the Recovery of such Penalties more speedy and summary: Be it enacted, That all such Penalties shall be recoverable in the Court of the Water Bailiff of the Isle of Man by Suit brought in the Name of the Attorney General or of the Receiver General of the said Island, or of the Harbour Master of the Harbour or Place where the Offence may have been committed, and that any appeal from any Judgment of the Water Bailiff in such Case shall be to the Staff of Government of the Island, whose Judgment thereon shall be final and conclusive.

Page 5.

Line 3. Leave out ("Table")

Line 16. After ("The") insert ("above") and leave out ("in Table I.")

Line 27. Leave out ("River") and insert ("Harbour")

LORDS AMENDMENTS

TO THE

PORT ERIN HARBOUR (ISLE OF MAN) BILL.

Ordered, by The House of Commons, *to be Printed,* 21 *July* 1863.

[Bill 258.]

Under 1 *oz.*

A

BILL

TO

Enable Her Majesty's Postmaster General to sell and otherwise dispose of Land.

WHEREAS by an Act passed in the Session of Parliament held in the Third and Fourth Years of the Reign of Her present Majesty, intituled "An Act for the Regulation "of the Duties of Postage," in order to enable Her Majesty's Postmaster General for the Time being to hold and take Conveyances and Leases of Messuages, Tenements, Lands, and Hereditaments for the Service of the Post Office, and to transmit the same to His Successors, it was enacted that Her Majesty's Postmaster General and his Successors should be and were thereby made a Body Corporate, and should have a Seal, and that all Messuages, Tenements, Lands, and Hereditaments, of whatsoever Tenure, then vested in Her Majesty's then present Postmaster General, his Heirs, Executors, Administrators and Assigns, in trust for Her Majesty and Her Successors, should, immediately on the passing of the said Act, be and become vested in him, in his Corporate Capacity, and his Successors, for ever, in trust as aforesaid: And whereas it is expedient that Her Majesty's Postmaster General, and his Successors, should be invested with such Powers of Sale, Exchange, Leasing, and other Preamble.

other Disposition over Lands held by him and them, and that such further and other Powers should be conferred on Her Majesty's Postmaster General for the Time being, as are herein-after in that Behalf contained: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Postmaster General empowered to sell or exchange Lands.

1. It shall be lawful for Her Majesty's Postmaster General for the Time being, from Time to Time, with the Consent and Approbation of the Commissioners of Her Majesty's Treasury, or any Two of them, (such Consent and Approbation to be certified by One of the Secretaries or Assistant Secretaries of the Treasury by Writing under his Hand,) to sell or to exchange for other Lands or to lease or to surrender on any Terms, any Lands for the Time being vested in him in trust as aforesaid, and upon any such Exchange to give or receive any Money for Equality of Exchange; and any such Sale as aforesaid may be made either by Public Auction or Private Contract, and the Postmaster General may make any Stipulations as to Title or otherwise, in any Conditions of Sale or Contract for Sale or Exchange, and may buy in, rescind, or vary any Contract for Sale or Exchange, and may re-sell or re-exchange any such Lands as aforesaid; and it shall be lawful for the Postmaster General or his Successors, for the Purposes aforesaid, or any of them, to execute and do all such Assurances and Things as he or they shall think fit.

Rights of Way.

2. In all Sales, Exchanges, and Leases respectively to be made by Her Majesty's Postmaster General under the Authority of this Act, it shall be lawful for him to stipulate for, create, or reserve all such Rights of Way or Road as shall be deemed right.

Purchaser not to be bound to inquire into Authority of Postmaster General to execute Deed.

3. No Purchaser, Lessee, or other Person claiming under any Deed or Instrument purporting to be executed by the Postmaster General under the Authority of this Act shall be bound to inquire whether the Postmaster General shall have been duly authorized by the Commissioners of Her Majesty's Treasury to execute the same or not, or whether any Sale or Exchange or Lease or Surrender purporting to be made by the Postmaster General under the Authority of this Act shall have been in fact authorized by this Act or not, or whether it shall or shall not have been within the Provisions or within the true Intent and Meaning of this Act.

Monies to be paid into the Bank of England.

4. All Monies, except Rents reserved on Leases, which shall become payable to the Postmaster General under the Provisions of this Act shall be paid into the Bank of England, and shall be there placed

placed to the Account of Her Majesty's Postmaster General, or to such other Account at the Bank of England as the Postmaster General for the Time being and the Commissioners of Her Majesty's Treasury for the Time being, or any Two of them, shall direct; and the Receipt of the Receiver and Accountant General for the Time being of Her Majesty's Post Office for such Monies shall effectually discharge the Person or Persons by whom or on whose Account the same shall be paid into the Bank of England, and no such Person shall be bound to see to the Application, or be answerable for the Nonapplication or Misapplication thereof.

Former Leases confirmed.

5. All Leases and Underleases, and Agreements for Leases and Underleases, heretofore made or entered into by Her Majesty's present Postmaster General or any of his Predecessors in Office are hereby confirmed.

On Appointment of Postmaster General, Contracts, &c. vested in his Predecessor transferred.

6. Upon and by virtue of the Appointment of any Person to be Her Majesty's Postmaster General the Benefit of all Contracts, Bonds, Securities, and Things in Action, which shall have been vested in his Predecessor at the Time when such Predecessor ceased to hold Office, shall be transferred to and vested in and enure for the Benefit of the Postmaster General so appointed, in the same Manner as if he had been contracted with instead of his Predecessor, and as if his Name had been inserted in all such Contracts, Bonds, and Securities, instead of the Name of his Predecessor.

Short Title.

7. This Act may be cited for all Purposes as "The Post Office Lands Act, 1863."

Postmaster General (Sale of Land).

A

BILL

To enable Her Majesty's Postmaster General to sell and otherwise dispose of Land.

(*Prepared and brought in by Mr. Peel and Sir William Dunbar.*)

Ordered, by The House of Commons, *to be Printed*, 18 *June* 1863.

[Bill 174.]

Under 1 *oz.*

16 *February* 1863. 26 Vict.

A

B I L L

TO

Amend the Law relating to Post Office Savings Banks.

WHEREAS it is expedient to amend the Law relating to Post Office Savings Banks; to provide for the Relief of the Trustees where Savings Banks have been or shall be closed; and to make further Provision in respect to the Investment of the Moneys of Post Office Savings Banks: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. In the Case of Trust and Joint Accounts and of the Accounts of Minors, either in a Post Office Savings Bank or in a Savings Bank established under the Laws relating to Savings Banks, the Postmaster-General in the one Case, and the Trustees of the Savings Bank in the other, on the Application in Writing of One of the Parties in whose Names such Trust and Joint Account may stand; and in the Case of Minors, on the Application in Writing of the Parent or other Relative of the Minor, if under *Seven* Years of Age, and of the Minor himself, if above that Age, shall issue a Certificate for the Transfer of such Account, and of all Money standing to the Credit of such Account, according to the Provisions of the Act Twenty- Transfer of Trust and Joint Accounts, and Accounts of Minors.

four Victoria, Chapter Fourteen, Section Ten, anything in the Rules of any Savings Banks notwithstanding, and such Account so transferred shall be opened in the Post Office Savings Bank or other Savings Bank to which the Transfer is made in the Names of all the Parties; and the Receipt of the Party making such Application and receiving such Transfer Certificate shall be a sufficient Discharge to the Postmaster-General and to such Trustees.

On closing of Savings Banks, Funds, &c. to be paid over to Commissioners.

2. Upon the final closing of any Savings Bank, or where any Savings Bank has already closed, the Trustees or Trustee for the Time being thereof, or any Two or more of them, shall forthwith notify the same in Writing to the Commissioners for the Reduction of the National Debt, and shall, with the Consent of the said Commissioners, convert into Money any Property, not being Money, held by the said Trustees of the Savings Bank, or by any Person as Trustee for the Savings Bank, and after paying the Expences of such Conversion, and any Claims thereon, shall account for and pay over the Residue to the said Commissioners to be by them carried to the separate Surplus Fund standing in the Books of the said Commissioners, and the Moneys carried on account of each Saving Bank to the said separate Surplus Fund under this and the following Section of this Act, shall be subject to any Claim that may thereafter be substantiated on account of any Depositor in the Savings Bank so closed; and the Receipt in Writing of the said Trustees, or Trustee for the Time being, or any Two or more of them, for any Money paid to them by any Purchaser or Lessee, shall be an effectual Discharge for the same, and the Purchaser or Lessee shall not be obliged to see to the Application of such Money, or be accountable or answerable for the Loss, Mis-application, or Non-application thereof, or be bound to inquire whether the Assent of the said Commissioners has been obtained to such Sale or Lease, or to the Regularity thereof; and all Purchases of any Freehold or Copyhold or Leasehold Estates which have already been made or may hereafter be made, with the Consent of the Commissioners for the Reduction of the National Debt, or the Comptroller General acting under them, by the Trustees of any Savings Bank, with the Moneys thereof, shall be and shall be deemed to have been as good, valid, and effectual in the Law to all Intents and Purposes whatsoever as if the same had been or were expressly authorized or sanctioned by any Statute relating to Savings Banks; and such Purchases shall not be liable to any Objection, or their Validity affected by reason of any Defect in the Right or Power of such Trustees to make such Purchases; and a Certificate under the Hand of the said Comptroller General of any such Purchase having been made, with such Consent and with such Moneys as aforesaid, shall for all Purposes whatsoever be conclusive Evidence thereof.

Receipt of Trustees on Sale of Property to be Discharge to Purchaser.

Security to Purchasers.

3. When

When Savings Banks are closed.

3. When the Trustees of any Savings Bank shall have determined to close the Savings Bank for the Receipt of Deposits, and shall have given Public Notice of such Intention by Letter through the Post Office, prepaid, to each Depositor at his Residence when known, by Advertisement in some one Newspaper circulating in the District in which the Savings Bank is situate, and by affixing such Notice on the Outer-door of the Building in which the Business of the Savings Bank is carried on, and shall have paid off *Three Fourths* of their Depositors Amount, either in Money or by Transfer to a Post Office Savings Bank, such Trustees may, if they think fit, transmit under the Hands of Two Trustees and Three Managers, to the Commissioners for the Reduction of the National Debt a certified List of such Depositors as have not applied to them to receive their Deposits, or for Transfer Certificates, and of the Amount due to them respectively, and the said Commissioners may thereupon receive from the said Trustees all Money remaining in the Hands of the said Trustees or of their Treasurer, and if such Money, with the Money belonging to the said Savings Bank in the Hands of the said Commissioners, together with the Proceeds of the Sale of other Property, as referred to in Section Two of this Act, shall be sufficient to discharge the whole of the Liabilities of such Trustees to the Depositors, as set forth in the said List, then the Certificate of the said Commissioners shall be a sufficient Discharge to the said Trustees in respect of all such Money so paid over, or in the Hands of the said Commissioners; and all such Moneys shall be held by the said Commissioners subject to the Rights and Claims of the Depositors named in such List, who shall thenceforth be considered to be Depositors in a Post Office Savings Bank; and such Depositors, on presenting their Deposit Books at any Post Office Savings Bank, shall be entitled to claim Payment of the Sums due to them respectively, with the Interest due to them thereon, and on establishing their Claim shall be paid out of the Moneys so paid over by the Trustees under this and the foregoing Section of this Act and in the Hands of the Commissioners as above referred to, and the Surplus of such Moneys, if any, after providing for the Sums due to such Depositors, shall be carried to the separate Surplus Fund in the Books of the said Commissioners.

Conversion of Annuities.

4. The Commissioners of Her Majesty's Treasury, by Warrant under the Hands of any Two or more of them, addressed to the Governor and Company of the Bank of England, may from Time to Time direct that out of the Total Amount of the Capital Stock of any Perpetual Government Annuities bearing Interest at or exceeding the Rate of Three per Centum per Annum standing in the Names of the Commissioners for the Reduction of the National Debt on account

of Post Office Savings Banks in the Books of the Bank of England, the Amount of Stock mentioned in such Warrant shall be cancelled, and that in place thereof there shall be created and inscribed in the said Books, in the Names of the said Commissioners, a like Amount of Capital Stock bearing Interest at the Rate of *Two Pounds Ten Shillings* per Centum per Annum; and the said Commissioners of Her Majesty's Treasury shall by the said Warrant authorize and direct the said Governor and Company to create and inscribe in the Books of the Bank, in addition to the said Capital Stock, bearing an Interest of *Two Pounds Ten Shillings* per Centum per Annum, such an Amount of Annuity for a Term of Years ending on the Fifth April One thousand eight hundred and eighty-five as shall be equivalent in Value to the Difference between the Rate of *Two Pounds Ten Shillings* per Centum, and the Rate of Interest on the Capital Stock so cancelled, and the Amount of such Terminable Annuity shall be ascertained and determined by the Tables in force under the Act of the Tenth George the Fourth, Chapter Twenty-four, under the Authority of which Annuities for Terms of Years are granted by the said Commissioners for the Reduction of the National Debt; and such Stock and Annuities so created in lieu of the Annuities cancelled shall be held by the said Commissioners for Post Office Savings Banks; and all such *Two Pounds Ten Shillings* Perpetual Annuities shall be consolidated with and be deemed Part of the Two and a Half per Centum Annuities created under the Act of the Sixteenth Victoria, Chapter Twenty-three, Section Two, and such Terminable Annuities shall be consolidated with and form Part of the Terminable Annuities created under the Act of the Twenty-third and Twenty-fourth Victoria, Chapter One hundred and nine, Section Three, and the Interest thereon shall be charged on the Consolidated Fund, and be paid and payable to the Bank of England, and such Warrant shall be a sufficient Authority to the said Governor and Company for the Creation and Inscription of the said Stock and Annuities respectively.

Warrant to be laid before Parliament.

5. Whenever the Commissioners of Her Majesty's Treasury shall exercise the Powers vested in them by the Fourth Section of this Act, Copy of the Warrant issued in respect thereof by the said Commissioners shall be laid before both Houses of Parliament within *Ten* Days from the Date thereof, if Parliament shall be then sitting, and if not then sitting then in the *Ten* Days after the then next assembling of Parliament.

20 *February* 1863. 26 Vict.

A

BILL

TO

Enable Her Majesty to provide for the Establishment of His Royal Highness the Prince of Wales and Her Royal Highness the Princess Alexandra of Denmark, and to settle certain Annuities on Her Royal Highness.

Most Gracious Sovereign,

WE Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, having taken into consideration Your Majesty's most Gracious Message that Your Majesty has agreed to a Marriage proposed between His Royal Highness Albert Edward Prince of Wales and Her Royal Highness the Princess Alexandra Caroline Maria Charlotte Louisa Julia of Denmark, do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. It shall be lawful for Her Majesty, in order to provide for the Establishment of His Royal Highness the Prince of Wales and Her said Annuity of 40,000*l.* for Establish-

ment of Prince of Wales.

said Royal Highness the Princess Alexandra, by Letters Patent under the Great Seal of the United Kingdom of Great Britain and Ireland, to grant to His said Royal Highness or to such Persons as Her Majesty may think fit to name in the said Letters Patent, in trust for His said Royal Highness, an Annuity of *Forty thousand Pounds*, to commence from the Day of the Marriage of His said Royal Highness with Her said Royal Highness, and to continue during the joint Lives of Her Majesty and His said Royal Highness, to be paid quarterly on the Fifth Day of January, the Fifth Day of April, the Fifth Day of July, and the Tenth Day of October in every Year, the first Payment to be made on such of the said quarterly Days as next happens after the said Marriage, of such Portion of the said Annuity as may have accrued between the Date of the said Marriage and the said quarterly Day, and a proportionate Part to be payable for the Period from the last quarterly Day of Payment to the Day of the Determination of the Annuity.

Power to Her Majesty to grant an Annuity of 10,000*l.* to Her Royal Highness the Princess Alexandra of Denmark during Marriage.

2. It shall be lawful for Her Majesty, by Letters Patent under the Great Seal of the United Kingdom of Great Britain and Ireland, to grant unto Her Royal Highness the said Princess Alexandra, or to such Persons as Her Majesty may think fit to name in such Letters Patent, in trust for Her Royal Highness, for Her sole and separate Use, but without any Power of Anticipation, an Annuity of *Ten thousand Pounds*, to commence from the Date of the Marriage of Her said Royal Highness with His Royal Highness, and to be payable during the Continuance of that Marriage, on the quarterly Days aforesaid, the first Payment to be made on such of the said quarterly Days as happens next after the said Marriage, of such Portion of the said Annuity as may have accrued between the Date of such Marriage and such quarterly Day, and a proportionate Part to be payable for the Period from the last quarterly Day of Payment to the Day of the Determination thereof.

Power for Her Majesty to grant an Annuity of 30,000*l.* to the Princess Alexandra in the event of Her surviving His Royal Highness the Prince of Wales.

3. It shall be lawful for Her Majesty, by Letters Patent under the Great Seal of the United Kingdom of Great Britain and Ireland, to grant unto Her said Royal Highness, in case of Her surviving His said Royal Highness, or to such Persons as Her Majesty may think fit to name in the said Letters Patent, in trust for Her said Royal Highness, in the event of Her so surviving, an Annuity of *Thirty thousand Pounds*, to commence from the Day of the Death of His said Royal Highness, and to continue from thenceforth during the Life of Her said Royal Highness, and to be payable on the quarterly Days aforesaid, the first Payment to be made on such of the said quarterly Days as happens next after the Death of His said Royal Highness, of such Portion of the said Annuity as

may

may have accrued between the Date of the said Death and the said quarterly Day, and a proportionate Part thereof to be payable for the Period from the last quarterly Day of Payment to the Day of the Determination thereof.

Annuities to be charged on Consolidated Fund.

4. The Annuities granted by this Act shall be charged on and payable out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, after paying or reserving sufficient to pay such Sums as may have been directed to be paid out of the said Fund by former Acts of Parliament, but with Preference to all other Payments which may hereafter be charged on the said Fund.

Prince and Princess of Wales' Annuities.

[ ] A

BILL

To enable Her Majesty to provide for the Establishment of His Royal Highness the Prince of Wales and Her Royal Highness the Princess Alexandra of Denmark, and to settle certain Annuities on Her Royal Highness.

(*Prepared and brought in by Mr. Massey, Viscount Palmerston, and Sir George Grey.*)

Ordered, by The House of Commons, *to be Printed,* 20 *February* 1863.

[Bill 30.]

Under 1 *oz.*

A

BILL

FOR

The Amendment of the Law relating to the Religious Instruction of Prisoners in County and Borough Prisons in England and Scotland.

WHEREAS it is expedient to amend the Law relating to Prisons in England and Scotland with respect to the Religious Instruction of the Prisoners confined therein: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. This Act may be cited for all Purposes as "The Prison Ministers Act, 1863." Short Title of Act.

2. This Act shall apply in England to all Gaols, Prisons, and Houses of Correction (herein-after included under the Term "Prisons") that are maintained at the Expense of any County, Riding, Division, or Liberty of a County, or of any County of a City, County of a Town or Borough, and in Scotland to all Local Prisons as defined by "The Prisons (Scotland) Administration Act, 1860." Application of Act.

3. Where

Additional Ministers in Prisons, and Regulation as to Admission of Minister.

3. Where the Number of Prisoners confined in any Prison to which this Act applies, and belonging to some Church or Religious Persuasion differing, if in England, from the Church of England, and if in Scotland, from the Church of Scotland, is so great as in the Opinion of the Justices, County Board, or other Persons having the Appointment of Chaplain in the said Prison, to require the Ministrations of a Minister of their own Church or Persuasion, the said Justices, County Board, or other Persons may appoint a Minister of such last-mentioned Church or Persuasion to attend at the said Prison on the Prisoners of his own Church or Persuasion, and they may, if they think fit, award to him a reasonable Sum as a Recompence for his Services, such Sum to be deemed a Part of the Expenses of the Prison to which he is appointed, and to be paid out of the Funds legally applicable to the Payment of such Expenses.

Every Minister appointed under this Act shall hold his Appointment during the Pleasure of the Authority by whom he was appointed, and shall conform in all respects to the Regulations of the Prisons at which he attends.

The said Justices, County Board, or other Persons may, if they think fit, without a special Request being made by any Prisoner of a Church or Religious Persuasion differing from that of the Established Church, allow a Minister of the Church or Persuasion to which such Prisoner belongs (if no Appointment of such a Minister has been made under this Act) to visit such Prisoner at proper and reasonable Times, under such Restrictions imposed by them as may guard against the Introduction of improper Persons, and may prevent improper Communications.

Keepers of Prisons to register Religion of Prisoners.

4. The Keeper or other Person performing the Duties of Keeper of a Prison on receiving into his Custody any Prisoner shall enter his Name in a Book to be provided for the Purpose, with the Addition of the Church or Religious Persuasion to which the Prisoner belongs, and the said Keeper or other Person shall at all reasonable Hours allow any Minister of a Church or Persuasion who is admitted to visit Prisoners in the Prison to inspect the said Book.

Qualified Repeal of Portion of 4 G. 4. c. 64. c. 30.

5. So much of the Thirtieth Section of the said Act passed in the Fourth Year of His late Majesty King George the Fourth, Chapter Sixty-four, as provides "that the Chaplain shall frequently visit every "Room and Cell in the Prison occupied by Prisoners, and shall direct "such Books to be distributed and read, and such Lessons to be "taught, in such Prison, as he may deem proper for the Religious "and Moral Instruction of the Prisoners therein, and that he shall "visit

" visit those who are in solitary Confinement," shall not apply to any Prisoner who is attended or visited by a Minister of a Church or Persuasion differing from the Church of England; and no Prisoner shall be compelled to attend any Religious Service held or performed by any Chaplain, Minister, or Religious Instructor of a Church or Religious Persuasion to which the said Prisoner does not belong.

Prison Ministers.

A

BILL

For the Amendment of the Law relating to the Religious Instruction of Prisoners in County and Borough Prisons in England and Scotland.

(Prepared and brought in by Sir George Grey and Mr. Bruce.)

Ordered, by The House of Commons, *to be Printed,* 17 *February* 1863.

[Bill 24.]

Under 1 *oz.*

538

LORDS AMENDMENTS

TO THE

PRISON MINISTERS BILL.

Note.—*The Page and Line refer to Bill* (109.) *as printed by the Lords.*

Page 2.

Line 15. Leave out from ("Expenses") to ("The") in Line 20.

Line 21. After ("by") insert ("but not against the Will of")

Line 23. Leave out ("allow") and insert ("permit")

Line 28. After ("Communications") insert ("provided that any "Prisoner shall, on Request, be allowed to attend "the Chapel or to be visited by the Chaplain of the "Gaol. Every Minister appointed or permitted to "visit Prisoners under this Act shall hold his "Appointment or Permission to visit during the "Pleasure of the Authority by whom he was "appointed or permitted to visit, and shall conform "in all respects to the Regulations of the Prison "at which he attends. No Minister shall be "appointed under this Act for any Prison in which "there is not a Chaplain of the Established "Church")

Line 33. Leave out from ("Prisoner") to ("to") in Line 35. and insert ("shall declare himself to belong, and the "said Keeper or other Person shall from Time to "Time give to any Minister appointed or permitted "to visit Prisoners in the Prison a List of the "Prisoners so declared to belong to the Church or "Persuasion of such Minister, and no such Minister "shall be permitted to attend or visit any Prisoner "belonging to any Religious Persuasion differing "from that")

[Bill 191.]

LORDS AMENDMENTS

TO THE

PRISON MINISTERS BILL.

Ordered, by The House of Commons, *to be Printed,*
25 *June* 1863.

[Bill 191.]

Under 1 *oz.*

535

LORDS AMENDMENTS TO THE COMMONS AMENDMENTS

TO THE

AMENDMENTS TO THE PRISON MINISTERS BILL.

The Lords do not agree to the First Amendment of the Commons to the Lords Amendment in Page 2, Line 28, but propose to amend the Words re-instated in the Bill, by inserting (" subject to the Rules " of the Gaol ") after (" allowed ") in Line 2 of the Lords Amendment.

The Lords disagree to the Second Amendment of the Commons to the said Amendment of the Lords, for the following Reason :—

Because in Scotland the Appointment of a Chaplain to a Gaol is not compulsory, and it does not appear to this House desirable that a Minister should be appointed under this Act in any Gaol which has not a Chaplain.

[Bill 247.]

LORDS AMENDMENTS TO THE COMMONS AMENDMENTS

TO THE

AMENDMENTS TO THE PRISON MINISTERS BILL.

Ordered, by The House of Commons, *to be Printed*, 15 *July* 1863.

[Bill 247.]

Under 1 *oz.*

22 *June* 1863. 26 & 27 Vict.

A

BILL

TO

Amend the Law relating to Prisons in Ireland.

WHEREAS by the Nineteenth Section of an Act passed in the Nineteenth and Twentieth Years of the Reign of Her Majesty, Chapter Sixty-eight, intituled "An Act to further "amend the Laws relating to Prisons in Ireland," it is amongst other things enacted, that the Appointment by any Board of Superintendence, under the Provisions of the said Act, of any Officer of any such Prison other than the Chaplains or Medical Officer shall be probationary only, and shall not be or become absolute until the same shall be confirmed at a Meeting of the Board of Superintendence duly summoned and held for that Purpose, not sooner than Three Months after the Meeting at which such probationary Appointment shall have been made, and that no such Confirmation of the Appointment of any Officer of any such Prison, save as aforesaid, shall be made at such last-mentioned Meeting unless Two Thirds of the Members of such Board and the Majority of the Members present shall concur in such Ratification or Confirmation: And whereas it has been found inconvenient to require the Presence of Two Thirds of the Members of such Boards of Superintendence at Meetings summoned and held to confirm such probationary Appointments made by a former Board: Be it enacted by the Queen's most Excellent

Preamble.

19 & 20 Vict. c. 68. s. 19.

Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Commencement of Act.

1. This Act shall commence and take effect from and after the *First Day of October next after the passing of this Act.*

This Act and recited Act to be construed as One Act.

2. This Act and the said recited Act shall be incorporated and construed together as One Act.

Repeal of Part of Section 19 of recited Act.

3. So much of the said recited Act (Section Nineteen) as provides that Two Thirds of the Members of any Board of Superintendence shall be present at any Meeting of such Board duly summoned and held to confirm probationary Appointments made by a former Board shall be repealed, and the Presence of Six Members only shall be sufficient for that Purpose, the Majority of whom shall be required to concur in the Ratification or Confirmation of such probationary Appointments.

A

BILL

TO

Remove certain Restrictions on the Negotiation of Promissory Notes and Bills of Exchange under a limited Sum.

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. From and after *the passing of this Act*, the Act passed in the Seventeenth Year of the Reign of King George the Third, Chapter Thirty, and so much and such Part and Parts of any other Act or Acts as continue or revive the said Act, or as prohibit or restrain, or impose any Penalty for or on account of the publishing, uttering, or negotiating in England of any Promissory or other Note, Bill of Exchange, Draft, or Undertaking in Writing, being negotiable or transferable, for the Payment of *Twenty Shillings*, or above that Sum and less than *Five Pounds*, or on which *Twenty Shillings*, or above that Sum and less than *Five Pounds*, shall remain undischarged, made, drawn, or endorsed in any other Manner than as directed by the said Act of the Seventeenth Year aforesaid, and also the Seventeenth Section and Schedules (C.) and (D.) of an Act passed in the Eighth and Ninth Years of Her Majesty's Reign, Chapter Thirty-eight, requiring

Act 17 G. 3. c. 30., restraining the Negotiation in England of Notes and Bills for a limited Sum, and 8 & 9 Vict. c. 38. s. 17., and Schedules (C.) and (D.), restraining the Negotiation in Scotland of the like Notes and Bills, repealed.

27 G. 3. c. 16. 7 G. 4. c. 6. ss. 1. and 4.

requiring or directing that all such Notes, Bills, Drafts, or Undertakings as aforesaid which shall be issued in Scotland shall be made, drawn, or endorsed according to the Forms contained in the said Schedules respectively, shall be and the same is and are hereby repealed.

19 *March* 1863. 26 Vict.

A

BILL

FOR

Closing Public Houses on Sunday.

WHEREAS the Provisions in force against the Sale of fermented and distilled Liquors during certain Portions of the Lord's Day have been found to be attended with great public Benefits, and it is important to extend such Provisions: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. The Act of Parliament passed in the Session of the Eighteenth and Nineteenth Years of the Reign of Her present Majesty, intituled "An Act to repeal the Act of the Seventeenth and Eighteenth "Years of the Reign of Her present Majesty, for further regulating "the Sale of Beer and other Liquors on the Lord's Day, and to "substitute other Provisions in lieu thereof," shall be and the same is hereby repealed. 18 & 19 Vict. c. 118. repealed.

2. It shall not be lawful for any Licensed Victualler or Person licensed to sell Beer by Retail to be drunk on the Premises, or not to be drunk on the Premises, or any Person licensed or authorized to sell fermented or distilled Liquors, or any Person who by reason of the Freedom Licensed Victuallers prohibited from opening Houses for the Sale of, or selling Beer on Sunday.

Freedom of the Mystery or Craft of Vintners of the City of London, or of any Right or Privilege, shall claim to be entitled to sell Wine by Retail to be drunk on the Premises in any Part of England or Wales, to open or keep open his House for the Sale of or to sell Beer, Wine, Spirits, or any other fermented or distilled Liquors between the Hours of *Eleven* o'Clock at Night of Saturday and *Six* o'Clock in the Morning of Monday, except to a Traveller or to a Lodger therein; nor to allow any Person to remain on the Premises for the Purpose of drinking Beer, Wine, Spirits, or any other fermented or distilled Liquor on Sunday, or between the said Hours on Saturday Night and Monday Morning, except a Traveller or Lodger therein.

Houses of public Resort prohibited from being opened for the Sale of Liquors on Sunday.

3. No Person shall open any House or Place of public Resort for the Sale of fermented or distilled Liquors, or sell therein such Liquors, in any Part of England or Wales, between the Hours of *Eleven* o'Clock at Night of Saturday and *Six* o'Clock in the Morning of Monday, except to Travellers, nor allow any Person to remain on the Premises for the Purpose of drinking Beer, Wine, Spirits, or any other fermented or distilled Liquor on Sunday, or between the said Hours on Saturday Night and Monday Morning, except a Traveller.

Power to Constables to enter Houses.

4. It shall be lawful for any Constable at any Time to enter into any House or Place of Public Resort in England or Wales for the Sale of Beer, Wine, Spirits, or other fermented or distilled Liquor or Liquors, and every Person who shall refuse to admit, or shall not admit such Constable into such House or Place shall be esteemed guilty of an Offence against this Act.

Penalty for Offences against this Act.

5. Every Person who shall offend against this Act shall be liable, upon a summary Conviction for the same before any Justice of the Peace for the County, Riding, Division, Liberty, City, Borough, or Place where the Offence shall be committed, to a Penalty not exceeding *Five* Pounds for every such Offence, and every separate Sale shall be deemed a separate Offence.

A

BILL

TO

Amend, so far as regards Advances for the Purposes of "The Harbours and Passing Tolls, &c. Act, 1861," certain of the Acts authorizing the Advance of Money out of the Consolidated Fund for carrying on Public Works and Fisheries and Employment of the Poor.

WHEREAS by an Act passed in the Third Year of His late Majesty King George the Fourth, Chapter Eighty-six, intituled "An Act to amend Two Acts of the Fifty-seventh Year of His late Majesty, and the First Year of His present Majesty, for authorizing the Issue of Exchequer Bills and the Advance of Money for carrying on Public Works and Fisheries and Employment of the Poor, and to authorize a further Issue of Exchequer Bills for the Purposes of the said Acts," the Commissioners acting in execution of the said Act, or of any of the Acts therein mentioned, or of any Act or Acts amending or continuing the same Act or Acts, and now usually called "the Public Works Loan Commissioners," were authorized to make Advances on Mortgage; and it was provided that Mortgages so made should have certain Priorities: And whereas by another Act Preamble.

passed in the Session of Parliament held in the First and Second Years of the Reign of His late Majesty King William the Fourth, intituled "An Act to amend several Acts passed for authorizing "the Issue of Exchequer Bills and the Advance of Money for "carrying on Public Works and Fisheries and Employment of the "Poor, and to authorize a further Issue of Exchequer Bills for the "Purposes of the said Acts," further Provision was made as to the Priorities of Mortgages for securing Advances made by the Public Works Loan Commissioners: And whereas by "The Public Works Loan Act, 1853," further Provision was made as to the Priorities of such Mortgages: And whereas by "The Harbours and Passing Tolls, &c. Act, 1861," the Commissioners were authorized, with the Approval of the Board of Trade, to make Advances on Mortgage to Harbour Authorities in manner therein provided: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Public Works Loan Commissioners empowered to grant Priority of Security in respect of Loans to Harbour Authorities by other Persons.

1. Notwithstanding any Provision to the contrary contained in the Acts herein-before mentioned, or in any other Act or Acts passed or to be passed relating to the Public Works Loan Commissioners, it shall be lawful for the Commissioners from Time to Time to grant Priority of Security, as well for Principal as Interest, in respect of any Loan made or to be made to any Harbour Authority by any Person or Persons other than the Commissioners over any Security which has been or shall be given to the Commissioners by such Harbour Authority; provided that the Grant of such Priority will not, in the Opinion of the said Commissioners, affect the Sufficiency of the Security given or to be given to the Commissioners.

Such Priority not to give Validity to any Security which could not have been given if this Act had not passed.

2. Such Grant of Priority shall not give any Force or Validity to any Security which could not have been legally given if this Act had not been passed: Provided nevertheless, that where any Harbour Authority has, independently of "The Harbours and Passing Tolls, &c. Act, 1861," the Power to borrow and secure Money to a limited Amount only, it shall be lawful for the Commissioners, if they think proper, to cause to be inserted in any Deed or other Instrument made or executed to secure an Advance by them to such Harbour Authority a Declaration that such Advance shall not be taken as Part of such limited Amount; and thereupon, and notwithstanding such Advance, Money to the full Extent of such limited Amount may be borrowed and secured in addition to the Sum secured by the Deed or Instrument containing the Declaration aforesaid, and the Fact of the Secretary for the Time being of the Commissioners being a Party to such

such Deed or Instrument, and being the Person to whom the Security is made, shall be conclusive Evidence that any such Declaration as aforesaid was inserted therein by the Authority of the Commissioners.

How Priority may be granted.

3. The Priority by the First Section of this Act authorized to be granted may be granted either by the Deed or Instrument whereby the Security to the Public Works Loan Commissioners is made, or from Time to Time by any other Deed or Instrument in Writing under the Hand of the Secretary for the Time being of the Commissioners, and such Priority may be so granted either absolutely or subject to any Terms and Conditions which the Commissioners may think proper to impose.

Harbour Authorities empowered to borrow Money to pay off Debts having Priority over Security for Loans by Public Works Loan Commissioners.

4. Where any Debt due from a Harbour Authority has or shall have Priority over any Security, made or to be made for any Loan by the Public Works Loan Commissioners to the same Harbour Authority, then, notwithstanding any Provision to the contrary contained in the Acts herein-before mentioned, or in any other Act or Acts passed or to be passed relating to the Public Works Loan Commissioners, it shall be lawful for the same Harbour Authority from Time to Time to borrow Money to be applied in paying off any Debt for the Time being having such Priority as aforesaid, and to grant and give Security for such Money similar to the Security which had previously existed for the Debt paid off; and all Securities for Money so borrowed and applied shall have the like Priority as the Security for the Debt paid off thereout previously had.

Short Title

5. This Act may be cited as "The Public Works and Fisheries Acts Amendment Act, 1863."

Public Works and Fisheries
Acts Amendment.

A

BILL

To amend, so far as regards Advances for the Purposes of "The Harbours and Passing Tolls, &c. Act, 1861," certain of the Acts authorizing the Advance of Money out of the Consolidated Fund for carrying on Public Works and Fisheries and Employment of the Poor.

(*Prepared and brought in by Mr. Peel and Mr. Chancellor of the Exchequer.*)

Ordered, by The House of Commons, *to be Printed*, 30 *June* 1863.

[Bill 198.]

Under 1 *oz.*

8 *June* 1863. 26 Vict.

A

BILL

TO

Facilitate the Execution of Public Works in certain Manufacturing Districts; to authorize for that Purpose Advances of Public Money to a limited Amount upon Security of Local Rates; and to shorten the Period for the Adoption of The Local Government Act, 1858, in certain Cases.

Preamble. 25 & 26 Vict. c. 110. 26 & 27 Vict. c. 4.

WHEREAS by an Act of the last Session of Parliament, (which was extended for a further Period by an Act of the present Session,) reciting that, by reason of the closing of Mills and Factories in certain Parts of the Country great Numbers of the labouring and manufacturing Classes had been thrown out of Employment, Provision was made to enable Boards of Guardians of certain Unions to obtain temporary Aid to meet the extraordinary Demands for Relief therein:

And whereas great Numbers of the same Classes still remain out of Employment in the Parts of the Country aforesaid, and it is expedient to make Provision for better enabling Local Authorities therein to give Employment by the Execution of Works of public Utility and sanitary Improvement:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and

Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Charge on Consolidated Fund of *l.*, to be at Disposal of Public Works Loan Commissioners.

1. *For the Purposes of Loans under this Act, the Commissioners of Her Majesty's Treasury may, from Time to Time by Warrant under the Hands of Two or more of them, cause to be issued out of the Consolidated Fund of the United Kingdom, or the growing Produce thereof, to the Account of the Commissioners for the Reduction of the National Debt, any Sum or Sums of Money not exceeding in the whole Pounds, such Money to be applied exclusively under this Act, and to be at the Disposal of the Public Works Loan Commissioners in like Manner in all respects as Money placed at their Disposal under the Act of the Session of the Twenty-fourth and Twenty-fifth Years of Her Majesty (Chapter Eighty), and the Acts therein recited, subject, nevertheless, to the Provisions of this Act, which Provisions shall have full Effect, notwithstanding anything in The Public Works Loan Act, 1853, to the contrary contained.*

24 & 25 Vict. c. 80.

16 & 17 Vict. c. 40.

Incorporation of Provisions of Public Works Loan Acts.

2. *All the several Clauses, Powers, Authorities, Provisoes, Enactments, Directions, Regulations, Restrictions, Privileges, Priorities, Advantages, Penalties, and Forfeitures contained in and conferred and imposed by the said Acts, or any of them, so far as the same can be made applicable and are not varied by this Act, shall be taken to extend to this Act, and to everything to be done in pursuance of this Act, and as if the same were herein repeated and set forth.*

Power for Public Works Loan Commissioners to lend, and for Local Boards and Authorities to borrow, for the Purposes and on the Terms specified.

3. For the Purposes of such Works as are herein-after mentioned, the Public Works Loan Commissioners may, out of the Money for the Time being at their Disposal *under this Act*, from Time to Time lend to any such Local Board or Local or other Authority as herein-after described, namely,—

Any Local Board acting under The Local Government Act, 1858;

Any Local Authority invested with Powers of Town Government and rating under any Local Act, by whatever Name such Local Authority may be called;

Any Commissioners or Body of Persons or other Authority having Power to levy Rates for general or special Purposes; or

Any Overseers of the Poor authorized to borrow as herein-after mentioned;

and any such Local Board or Local or other Authority may from Time to Time borrow from the Public Works Loan Commissioners accordingly, such Sum or Sums of Money as may be required, subject and according to the following Provisions:

(1.) Any such Loan may be made for the Purposes of any permanent Works which the Local Board obtaining the Loan is authorized

authorized to execute under the Powers of The Local Government Act, 1858, or this Act, or (as the Case may be) which the Local or other Authority obtaining the Loan is authorized to execute under the Powers of any Local Act or this Act or otherwise:

(2.) Any such Loan may be made to any such Local or other Authority, whether such Local or other Authority has or has not Power to borrow under any Local Act or otherwise, independently of this Act;

(3.) Any such Loan may be made to any such Local Board or Local or other Authority to the Amount authorized by this Act, notwithstanding any Limitation of the Amount to be borrowed by such Local Board or Local or other Authority imposed by any Local Act or otherwise, but so that nothing in this Act shall be deemed to give to any Loan made under this Act Equality as to Order of Charge, or of Payment of Interest or Principal, with any Loan made or to be made under any Local Act, except only as to such Portion (if any) of the Money raised under this Act as might have been raised under the Local Act, independently of this Act:

(4.) The total Amount to be lent under this Act to any Local Board or Local or other Authority shall not exceed such Amount as, together with any Sum borrowed by such Local Board or Local or other Authority, before the passing of this Act and remaining unpaid at the Time of any such Loan being made under this Act, would be equal to *Two* Years rateable Value of the Property assessable within the District in respect of which any such Loan under this Act may be made:

(5.) The Interest payable in respect of every such Loan under this Act shall be at the Rate of *Three Pounds Ten Shillings* per Centum per Annum:

(6.) The Repayment of every such Loan shall be made by such Number of equal annual Instalments, not exceeding *Thirty*, as the Poor Law Board specify in their Order sanctioning the same; but that Board may, if they think fit, authorize the Postponement of the Payment of any Instalment becoming due within the first *Three* Years, for a Period not exceeding *Two* Years:

(7.) The Repayment of any such Loan with the Interest thereon shall be secured by the Local Board or Local or other Authority to whom the Loan is made by a Mortgage of or Charge upon all or any of the Rates leviable by such Local Board or Local or other Authority, either alone or together with such other Property or Income as may be agreed on between

between such Local Board or Local or other Authority and the Public Works Loan Commissioners; and it shall not be incumbent on those Commissioners to require any other Security:

(8.) Every Local Board or Local or other Authority obtaining any such Loan shall have Power by virtue of this Act to give such Security as aforesaid, and to charge such Rates, Property, or Income as aforesaid accordingly; and every such Local Board or Local or other Authority shall have Power, by virtue of this Act, and is hereby required, to levy Rates of such Amount as may be requisite for the Purposes of any such Security, notwithstanding any Limitation of the Amount of Rates to be levied by such Local Board or Local or other Authority imposed by any Local or other Act or otherwise:

(9.) The Provisions of Sections Fifty-seven and Seventy-eight of The Local Government Act, 1858, and any Provisions relative thereto, in the same or any other Act contained, shall not apply to any Loan under this Act:

(10.) Every Loan under this Act shall be made with the Authority of an Order of the Poor Law Board, which Order that Board may make if satisfied that the Circumstances of the District for which the Loan is required in reference to the Charge for the Relief of the Poor are such as to render the Loan expedient, and that all the Conditions of this Act have been complied with on the Part of the Local Board or Local or other Authority desiring to obtain the Loan; and any such Order of the Poor Law Board shall be sufficient to authorize the Public Works Loan Commissioners to make any such Loan, and shall not be liable to be questioned in any Court of Law or Equity.

Application of Money borrowed.

4. Any Local Board or Local or other Authority obtaining a Loan under this Act shall apply the whole of the Money borrowed exclusively for the Purposes of such permanent Works as aforesaid, and shall not apply any Part thereof in or towards paying off any Debt or Charge existing at the Time of the making of such Loan.

Postponement or withholding of Instalments of Loan when Works not proceeded with satisfactorily.

5. The Money borrowed shall be advanced by the Public Works Loan Commissioners in such Instalments as the Poor Law Board shall from Time to Time by any Order direct; and the Payment by the Public Works Loan Commissioners of any such Instalment may be postponed or withheld on a Notice from the Poor Law Board certifying that the Works in respect of which the Loan was authorized are not being proceeded with, in conformity with the Plan proposed, to the Satisfaction of the Poor Law Board.

6. One

Appointment of inspecting Engineer.

6. One of Her Majesty's Principal Secretaries of State may, upon the Application of the Poor Law Board, appoint from Time to Time an Engineer or Engineers to report to that Board upon any Works proposed to be executed, or in the course of being executed, or completed, by means of a Loan under this Act, and the Engineer or Engineers so appointed shall have full Power and Authority, at all reasonable Times, to examine the Plans, Specification, and Estimates of such Works, to enter upon and survey such Works or the Site thereof, and to inspect the Accounts of any Local Board or Local or other Authority in relation thereto.

Abridgment of Time requisite for Adoption of Local Government Act.

7. For facilitating the Adoption of The Local Government Act, 1858, the following Provisions shall, until the *First Day of July One thousand eight hundred and sixty-four*, take effect and be in force:

(1.) Section Twelve of that Act, and any Provision relative thereto, shall be read and construed as if the Words "*a Week's*" were substituted in that Section for the Words "a Month's:"

(2.) Section Seventeen of that Act, and any Provision relative thereto, shall be read and construed as if the Words "*Fourteen* Days" were substituted in that Section for the Words "Twenty-one Days," and as if the Words "*Seven* Days" were substituted in that Section for the Words "Fourteen Days:"

(3.) Section Twenty of that Act, and any Provision relative thereto, shall be read and construed as if the Words "*Twenty-one Days*" were substituted throughout that Section for the Words "Two Months:"

(4.) Section Four of The Local Government Act Amendment Act, 1863, shall not apply to Appeals against Resolutions of Adoption in Cases coming within the Operation of this Act.

Mode of proceeding on Acquisition of Powers under Local Government Act.

8. Where any Local Authority acquires under this Act any Powers by virtue of Section Fifteen of The Local Government Act, 1858, which are repugnant to or inconsistent with those of the Local Act, the Local Authority shall proceed under the Powers and Provisions of The Local Government Act, 1858; and wherever in any such Case the last-mentioned Act and the Local Act contain Provisions for effecting the same or a similar Object, but in different Modes, the Local Authority may proceed under The Local Government Act, 1858, or under the Local Act.

In every such Case of Acquisition of Powers under this Act, Section Twelve of The Local Government Act, 1858, and any Provision relative thereto, shall be read and construed as if the Words "*a Week's*" were substituted in that Section for the Words "a Month's."

 9. Any

Additional Powers for Local Boards or Local Authorities to execute Works of Improvement.

9. Any Local Board or Local or other Authority (except Overseers) shall have Power to execute, by means of any Loan under this Act, all or any of the following Works, in addition to the Works authorized by The Local Government Act, 1858, or any Local Act; that is to say, any such Local Board or Local or other Authority shall have Power—

To drain, lay out, plant, or otherwise improve any Common or other Lands used or intended to be used as Places of Public Recreation;

To widen, deepen, cleanse, embank, straighten, or otherwise improve any River, Stream, or Brook;

and also to enter into any Agreement respecting the Execution of any such Work, or the Apportionment of the Cost thereof, with any Person or Authority interested in Property adjoining to any such Lands, River, Stream, or Brook, or likely to be beneficially or otherwise affected by any such Work.

Power for Execution of private Improvements by Agreement with Owners of Property.

10. Any Local Board or Local or other Authority (except Overseers) may agree with the Owner of any Lands in or adjoining to or near their District to make any Road or to execute any Work of Drainage or of private Improvement through, in, or on such Lands, at the Expense of the Owner, and may allow the Owner Time for Repayment of the Amount expended, and receive the same by annual Instalments, not being less than *One-thirtieth* Part of the entire Sum, with Interest at the Rate of *Three Pounds Ten Shillings* per Centum per Annum upon the Sum from Time to Time remaining unpaid.

Where such Owner has a limited Estate or Interest only in such Lands, he may, by an Instrument in the Form set forth in the Schedule to this Act, with such Variations as Circumstances may require, charge the Inheritance of such Lands with the Amount so expended, and with the Amount of the Costs incurred by the Local Board or Local or other Authority, and by such Owner, in relation to the Security to be given by him, together with Interest for the aggregate of those Amounts, at the Rate aforesaid, and may, by the same Instrument, declare the Manner and Times of the Payment of such Interest and of the Instalments aforesaid; and all the Provisions of The Local Government Act, 1858, with respect to the Recovery and Redemption of Private Improvement Rates shall apply, as far as may be, to every such Charge.

Provided, that no such Instrument shall operate so as to charge the Estate or Interest of any Person taking in succession after such limited Estate or Interest, until a Certificate, signed by an Engineer to be appointed as aforesaid, has been endorsed thereon, to the Effect that in the Opinion of such Engineer the Works in respect of which such

such Charge is intended to be created have been duly executed, and will effect such a permanent Increase in the yearly Value of the Lands to be charged as will render the Amount expended an Outlay beneficial to the Inheritance; and every such Certificate, so signed, shall be conclusive Evidence that the Engineer by whom the same is given has been duly appointed for the Purpose aforesaid.

In this Section the Term "Owner" means the Person who is for the Time being in Receipt for his own Benefit of the Rackrent of the Lands affected by such Works; or who, if such Lands were let to a Tenant at Rackrent, would for the Time being be entitled to the Receipt thereof for his own Benefit.

Power for Parishes, where there is no Local Board or Local Authority, to borrow for useful Works.

11. Where a Resolution is passed by the Vestry, or Meeting in the Nature of a Vestry, of any Parish or Township, District, or other Place having separate Overseers of the Poor, and separately maintaining its own Poor, and containing a Population of less than *Three thousand* Inhabitants according to the last Census, and not included in the District of any Local Board or of any Local Authority invested with Powers of Town Government and rating under any Local Act, to the effect that it would contribute to the Health or Convenience of the Inhabitants of such Parish, Township, District, or Place, that any of the following Works should be executed, namely,—

That any Pond, Pool, open Ditch, Sewer, or Drain should be drained, cleansed, covered, or filled up;

That any Highway, or Public Road or Footpath, should be made, levelled, or improved;

That any River, Stream, or Brook should be widened, deepened, cleansed, embanked, straightened, or otherwise improved;

That a Sewer or Drain should be made or improved;

That a Well should be dug;

That a Reservoir for Water Supply should be constructed, improved, or enlarged, or the requisite Pipes connected with any Reservoir for Water Supply be laid down, improved, or extended;

That any Common or other Lands used or intended to be used as Places of Public Recreation should be drained, laid out, planted, or otherwise improved; or

That any other Work of public Utility or sanitary Improvement should be executed;

then and in every such Case the Overseers of such Parish, Township, District, or Place shall procure (at the Expense of such Parish, Township, District, or Place) a Plan of such Works and an Estimate of the Cost thereof, and lay the same before another such Vestry or Meeting as aforesaid, and, if the same are approved, with or without Modification, by such Second Vestry or Meeting, then the Poor Law Board, upon being satisfied that the Consent of the Persons and

Authorities interested in Property adjoining to or liable to be affected by the proposed Works has been obtained, and that in other respects such Works may be properly undertaken and executed, may by an Order authorize the Overseers to borrow, and thereupon the Public Works Loan Commissioners may lend to the Overseers, subject and according to the Provisions herein-before contained, such Money as the Poor Law Board may consider necessary for the Purposes of the Works so approved, the Repayment of such Money, with Interest at the Rate aforesaid, to be secured by the Overseers by a Mortgage of or Charge upon the Rates raised or to be raised for the Relief of the Poor in that Parish, Township, District, or Place.

The Overseers shall cause such Works as aforesaid to be executed, paying the Cost thereof out of the Money so borrowed, with Power nevertheless for the Vestry, or Meeting in the Nature of a Vestry, if they think fit, from Time to Time to appoint a Committee of Inhabitants to superintend the Execution of such Works, of which Committee the Overseers, the elected Guardians for such Parish or Township, District or Place, and the resident Justices of the Peace, shall ex officio be Members.

At every such Vestry or Meeting as aforesaid the Owner of any Property in such Parish, Township, District, or Place, as well as the Ratepayer in respect thereof, shall be entitled to be present and to vote personally, upon the Scale provided by Law for the Election of Guardians of the Poor; and where such Owner is also Occupier of any such Property he shall be entitled to vote in respect as well of his Occupation as of his Ownership.

Incorporation of Lands Clauses Act, except as to compulsory Powers.

12. The Lands Clauses Consolidation Act, 1845, and any Act amending the same, except with respect to the taking of Lands otherwise than by Agreement, shall be incorporated with this Act; and for the Purposes of those Acts, this Act shall be deemed the Special Act, and the Local Board or Local or other Authority, exercising the Powers of this Act, shall be deemed the Promoters of the Undertaking.

Incorporation of Clauses of 10 & 11 Vict. c. 16. with respect to Mortgages

13. The Clauses of The Commissioners Clauses Act, 1847, with respect to the Mortgages to be executed by the Commissioners, except so far as the same may be inconsistent with the Provisions of the said Act of the Session of the Twenty-fourth and Twenty-fifth Years of Her Majesty (Chapter Eighty), or of any of the Acts therein recited, shall be incorporated with this Act; and in the Construction of this Act and of the said incorporated Clauses this Act shall be deemed the Special Act, and the Local Board or Local or other Authority to which a Loan is made shall be deemed to be the Commissioners.

14. Every

Validity of Mortgages notwithstanding Irregularities of Proceedings.

14. Every Mortgage for securing Money lent under this Act purporting to be executed by any such Local Board or Local or other Authority as herein-before described, except Overseers, in manner provided by the Clauses of The Commissioners Clauses Act, 1847, herein incorporated, and every like Mortgage purporting to be executed by the Overseers of any Parish, Township, District, or other Place as aforesaid, shall constitute a complete and valid Security on the Rates, Property, and Income thereby expressed to be mortgaged, and shall give to and impose on the Local Board or Local or other Authority, including Overseers, entrusted with the levying of the Rates thereby expressed to be mortgaged, the Power and Obligation from Time to Time to levy such Rates to an Amount sufficient to discharge, in manner provided by such Mortgage, the Principal and Interest expressed to be thereby secured, notwithstanding any Defect or Irregularity in the Election, Appointment, Constitution, or Proceedings of such Local Board or Local or other Authority, and notwithstanding any Vacancy in the Number of Persons, or any Disqualification of any Person or Persons being a Member of or constituting such Local Board or Local or other Authority, and notwithstanding that any Person or Persons may have assumed to act as Member or Members of such Local Board or Local or other Authority, or as such Authority, though not legally elected, appointed, constituted, or qualified as such Member, Members, or Authority.

Validity of Security on Rates notwithstanding Defect in compliance with Conditions of Act.

15. Where the Public Works Loan Commissioners make a Loan in pursuance of any such Order of the Poor Law Board as herein-before mentioned, and take a Mortgage for securing Repayment of the same, purporting to be made under the Authority of this Act, they shall not be bound to require Proof that any Condition imposed by this Act has been duly complied with; and in every such Case the Local Board or Local or other Authority shall have full Power and is hereby required to levy the Rates mortgaged, for Repayment of the Money borrowed, with Interest, notwithstanding that any such Condition may not have been complied with; and it shall not be competent to any Ratepayer or other Person to question the Validity of any such Mortgage or Rate on the Ground that any such Condition had not been complied with.

Limitation of Time for obtaining Loans.

16. The Poor Law Board shall not make an Order for a Loan under this Act in any Case after the *First Day of July One thousand eight hundred and sixty-four*, unless they think fit to make an Order after that Day with a view to the Completion of Works then already begun.

Extent of Act same as that of Union Relief Aid Acts.

17. This Act shall extend and apply only to Boroughs, Parishes, Towns, Districts, and Places within or comprising the Unions situate wholly or in part in the Counties of Chester, Lancaster, and Derby.

Interpretation.

18. The Word "Overseers" shall include Churchwardens in the Case of any Parish to which this Act applies.

Short Title.

19. This Act may be cited as The Public Works (Manufacturing Districts) Act, 1863.

SCHE-

SCHEDULE.

THIS DEED, made the Day of One thousand eight hundred and sixty- , witnesseth that *A.B.*, of being the Owner within the Meaning of The "Public Works (Manufacturing Districts) Act, 1863," of the Lands mentioned in the Schedule hereto, by virtue and in exercise of the Power in this Behalf vested in him by the said Act, and of every other Power enabling him in this Behalf, doth hereby charge the Inheritance of such Lands with the Sum of Pounds, being the Amount expended by [*describe the Local Board or Local Authority*] in the Execution of the following Works for the Improvement of the said Lands [*describe the Works*], and with the Sum of Pounds, being the Amount of the Costs incurred by the said Local Board [*or Local Authority*] and the said *A.B.* as such Owner as aforesaid, in relation to this present Security, making together the Sum of Pounds, together with Interest for the same aggregate Sum of Pounds at the Rate of *Three Pounds Ten Shillings* per Centum per Annum from the Day of until full Payment thereof; and doth hereby declare that the said Principal Money and Interest shall be paid by the Owner for the Time being of the said Lands to the said Local Board [*or Local Authority*] in manner following; namely, the Interest on such Principal Sum of Pounds, or on so much thereof as from Time to Time remains unpaid, shall be paid by equal Half-yearly Payments on the Day of and the Day of in every Year, the First Payment of such Interest to be made on the Day of One thousand eight hundred and sixty- ; and such Principal Sum of Pounds shall be paid by equal annual Instalments on the Day of in every Year, the first of such Instalments to be paid on the Day of One thousand eight hundred and sixty- .

In witness whereof the said *A.B.* hath hereunto set his Hand and Seal the Day of One thousand eight hundred and sixty-

Witnesses.

C.D. *A.B.* (L.S.)

E.F.

SCHE

SCHEDULE of LANDS charged.

Description of Lands.	Name of Occupier.	Where situate.	Total Acreage.

Public Works (Manufacturing Districts).

A

B I L L

To facilitate the Execution of Public Works in certain Manufacturing Districts; to authorize for that Purpose Advances of Public Money to a limited Amount upon Security of Local Rates; and to shorten the Period for the Adoption of The Local Government Act, 1858, in certain Cases.

(*Prepared and brought in by Mr. Villiers and Mr. Chancellor of the Exchequer.*)

Ordered, by The House of Commons, *to be Printed,* 8 *June* 1863.

[Bill 154.] *Under 2 oz.*

565

A

BILL

[AS AMENDED IN COMMITTEE]

TO

Facilitate the Execution of Public Works in certain Manufacturing Districts; to authorize for that Purpose Advances of Public Money to a limited Amount upon Security of Local Rates; and to shorten the Period for the Adoption of The Local Government Act, 1858, in certain Cases.

Preamble. 25 & 26 Vict. c. 110. 26 & 27 Vict. c. 4.

WHEREAS by an Act of the last Session of Parliament, (which was extended for a further Period by an Act of the present Session,) reciting that by reason of the closing of Mills and Factories in certain Parts of the Country great Numbers of the labouring and manufacturing Classes had been thrown out of Employment, Provision was made to enable Boards of Guardians of certain Unions to obtain temporary Aid to meet the extraordinary Demands for Relief therein:

And whereas great Numbers of the same Classes still remain out of Employment in the Parts of the Country aforesaid, and it is expedient to make Provision for better enabling Local Authorities therein to give Employment by the Execution of Works of public Utility and sanitary Improvement:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and

Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Charge on Consolidated Fund of 1,200,000*l.*, to be at Disposal of Public Works Loan Commissioners.

1 For the Purposes of Loans under this Act, the Commissioners of Her Majesty's Treasury may, from Time to Time, by Warrant under the Hands of Two or more of them, cause to be issued out of the Consolidated Fund of the United Kingdom, or the growing Produce thereof, to the Account of the Commissioners for the Reduction of the National Debt, any Sum or Sums of Money not exceeding in the whole One million two hundred thousand Pounds, such Money to be applied exclusively under this Act, and to be at the Disposal of the Public Works Loan Commissioners in like Manner in all respects as Money placed at their Disposal under the Act of the Session of the Twenty-fourth and Twenty-fifth Years of Her Majesty (Chapter Eighty), and the Acts therein recited, subject, nevertheless, to the Provisions of this Act, which Provisions shall have full Effect, notwithstanding anything in the Public Works Loan Act, 1853, to the contrary contained.

24 & 25 Vict. c. 80.

16 & 17 Vict. c. 40.

Incorporation of Provisions of Public Works Loan Acts.

2. All the several Clauses, Powers, Authorities, Provisoes, Enactments, Directions, Regulations, Restrictions, Privileges, Priorities, Advantages, Penalties, and Forfeitures contained in and conferred and imposed by the said Acts, or any of them, so far as the same can be made applicable and are not varied by this Act, shall be taken to extend to this Act, and to everything to be done in pursuance of this Act, and as if the same were herein repeated and set forth.

Power for Public Works Loan Commissioners to lend, and for Local Boards and Authorities to borrow, for the Purposes and on the Terms specified.

3. For the Purposes of such Works as are herein-after mentioned, the Public Works Loan Commissioners may, out of the Money for the Time being at their Disposal under this or any other Act, from Time to Time lend to any such Local Board or Local or other Authority as herein-after described, namely,—

Any Local Board acting under The Local Government Act, 1858;

Any Local Authority invested with Powers of Town Government and rating under any Local Act, by whatever Name such Local Authority may be called;

Any Commissioners or Body of Persons or other Authority having Power to levy Rates for general or special Purposes; or

Any Guardians of the Poor authorized to borrow as herein-after provided;

and any such Local Board or Local or other Authority may from Time to Time borrow from the Public Works Loan Commissioners accordingly, such Sum or Sums of Money as may be required, subject and according to the following Provisions:

(1.) Any such Loan may be made for the Purposes of any permanent Works which the Local Board obtaining the Loan is authorized

authorized to execute under the Powers of The Local Government Act, 1858, or this Act, or (as the Case may be) which the Local or other Authority obtaining the Loan is authorized to execute under the Powers of any Local Act or this Act or otherwise:

(2.) Any such Loan may be made to any such Local or other Authority, whether such Local or other Authority has or has not Power to borrow under any Local Act or otherwise, independently of this Act:

(3.) Any such Loan may be made to any such Local Board or Local or other Authority to the Amount authorized by this Act, notwithstanding any Limitation of the Amount to be borrowed by such Local Board or Local or other Authority imposed by any Local Act or otherwise, but so that nothing in this Act shall be deemed to give to any Loan made under this Act Equality as to Order of Charge, or of Payment of Interest or Principal, with any Loan made or to be made under any Local Act, except only as to such Portion (if any) of the Money raised under this Act as might have been raised under the Local Act, independently of this Act:

(4.) The total Amount to be lent under this Act to any Local Board or Local or other Authority shall not exceed such Amount as would be equal to One Year's rateable Value of the Property assessable within the District or Place in respect of which any such Loan under this Act may be made:

(5.) The Interest payable in respect of every such Loan under this Act shall be at the Rate of Three Pounds Ten Shillings per Centum per Annum:

(6.) The Repayment of every such Loan shall be made by such Number of equal annual Instalments, not exceeding Thirty, as the Poor Law Board specify in their Order sanctioning the same; but that Board may, if they think fit, authorize the Postponement of the Payment of any Instalment becoming due within the first Three Years, for a Period not exceeding Two Years:

(7.) The Repayment of any such Loan with the Interest thereon shall be secured by the Local Board or Local or other Authority to whom the Loan is made by a Mortgage of or Charge upon all or any of the Rates leviable by such Local Board or Local or other Authority, either alone or together with such other Property or Income as may be agreed on between such Local Board or Local or other Authority and the Public Works Loan Commissioners; and in the Case of Guardians upon the Security of the Rates for the Relief of

the Poor, or to be raised by the Overseers in Manner hereinafter provided, and it shall not be incumbent on those Commissioners to require any other Security:

(8.) Every Local Board or Local or other Authority obtaining any such Loan shall have Power by virtue of this Act to give such Security as aforesaid, and to charge such Rates, Property, or Income as aforesaid accordingly; and every such Local Board or Local or other Authority shall have Power, by virtue of this Act, and is hereby required, to levy such Rates or to make such Orders for Contributions respectively as may be requisite for the Purposes of any such Security, notwithstanding any Limitation of the Amount of Rates to be levied by such Local Board or Local or other Authority imposed by any Local or other Act or otherwise; and in the Case of any Local Board or Local Authority having rating Powers under "The Local Government Act, 1858," or any General or Local Act, such Rates may be included in and levied with the General District Rate under that Act, or any Rate levied under any General or Local Act:

(9.) The Provisions of Sections Fifty-seven and Seventy-eight of The Local Government Act, 1858, and any Provisions relative thereto, in the same or any other Act contained, shall not apply to any Loan under this Act:

(10.) Every Loan under this Act shall be made with the Authority of an Order of the Poor Law Board, which Order that Board may make if satisfied that the Circumstances of the District for which the Loan is required in reference to the Charge for the Relief of the Poor are such as to render the Loan expedient, and that all the Conditions of this Act have been complied with on the Part of the Local Board or Local or other Authority desiring to obtain the Loan; and any such Order of the Poor Law Board shall be sufficient to authorize the Public Works Loan Commissioners to make any such Loan, and shall not be liable to be questioned in any Court of Law or Equity.

Application of Money borrowed.

4. Any Local Board or Local or other Authority obtaining a Loan under this Act shall apply the whole of the Money borrowed exclusively for the Purposes of such permanent Works as aforesaid, and shall not apply any Part thereof in or towards paying off any Debt or Charge existing at the Time of the making of such Loan other than such as may be due in respect of such Works.

Postponement or withholding

5. The Money borrowed shall be advanced by the Public Works Loan Commissioners in such Instalments as the Poor Law Board shall

shall from Time to Time by any Order direct; and the Payment by the Public Works Loan Commissioners of any such Instalment may be postponed or withheld on a Notice from the Poor Law Board certifying that the Works in respect of which the Loan was authorized are not being proceeded with, in conformity with the Plan proposed, to the Satisfaction of the Poor Law Board.

Postponement of Instalments of Loan when Works not proceeded with satisfactorily.

6. One of Her Majesty's Principal Secretaries of State may, upon the Application of the Poor Law Board, appoint from Time to Time an Engineer or Engineers to report to that Board upon any Works proposed to be executed, or in the course of being executed, or completed, by means of a Loan under this Act, and the Engineer or Engineers so appointed shall have full Power and Authority, at all reasonable Times, to examine the Plans, Specification, and Estimates of such Works, to enter upon and survey such Works or the Site thereof, and to inspect the Accounts of any Local Board or Local or other Authority in relation thereto.

Appointment of inspecting Engineer.

7. For facilitating the Adoption of The Local Government Act, 1858, the following Provisions shall, until the First Day of July One thousand eight hundred and sixty-four, take effect and be in force:

Abridgment of Time requisite for Adoption of Local Government Act.

(1.) Section Twelve of that Act, and any Provision relative thereto, shall be read and construed as if the Words "a Week's" were substituted in that Section for the Words "a Month's:"

(2.) Section Seventeen of that Act, and any Provision relative thereto, shall be read and construed as if the Words "Fourteen Days" were substituted in that Section for the Words "Twenty-one Days," and as if the Words "Seven Days" were substituted in that Section for the Words "Fourteen Days:"

(3.) Section Twenty of that Act, and any Provision relative thereto, shall be read and construed as if the Words "Twenty-one Days" were substituted throughout that Section for the Words "Two Months:"

(4.) Section Three of The Local Government Act Amendment Act, 1863, shall not apply to Appeals against Resolutions of Adoption in Cases coming within the Operation of this Act.

8. Where any Local Authority acquires under this Act any Powers by virtue of Section Fifteen of The Local Government Act, 1858, which are repugnant to or inconsistent with those of the Local Act, the Local Authority shall proceed under the Powers and Provisions of The Local Government Act, 1858; and wherever in any such Case the last-mentioned Act and the Local Act contain Provisions for effecting the same or a similar Object, but in different

Mode of proceeding on Acquisition of Powers under Local Government Act.

Modes, the Local Authority may proceed under The Local Government Act, 1858, or under the Local Act.

In every such Case of Acquisition of Powers under this Act, Section Twelve of The Local Government Act, 1858, and any Provision relative thereto, shall be read and construed as if the Words "a Week's" were substituted in that Section for the Words "a Month's."

CLAUSE A.

Power to abandon the Local Government Act.

9. Section Four of "The Local Government Act, 1863," shall apply to any Place which may adopt "The Local Government Act, 1858," under this Act, notwithstanding the Population of such Place is more than Three thousand.

CLAUSE B.

Mode of proceeding in respect of the paving, &c., of private Streets.

10. With respect to any Works to be executed in exercise of the Powers contained in Section Sixty-nine of "The Public Health Act, 1848," and Section Thirty-eight of "The Local Government Act, 1858," by means of any Loan under this Act:

(1.) The Notice required to be given prior to the Execution of such Works by the Local Board or Local Authority may be in the Form prescribed by "The Local Government Amendment Act, 1861," or to the like Effect, and may be served by delivering the same to or at the Residence or Place of Business of the Person or Persons to whom it is addressed, or by delivering the same to some Person upon the Premises in respect of which the Works are required, or, if there be no Person upon the Premises who can be so served, by fixing such Notice upon some conspicuous Part of the Premises, or advertising the same in One or more of the Newspapers circulated in the Place:

(2.) Specifications and Estimates of the Works, certified by the Surveyor of the Local Board or Local Authority, shall be deposited for Inspection, with the Plan and Sections, in the Manner required by "The Local Government Act (1858) Amendment Act, 1861;" and when the Works affect the Property of more than One Person, the Estimates shall show the proposed Apportionment of the Expenses of the Works in respect of such Properties respectively:

(3.) Any Person to whom such Notice as aforesaid has been given may, before the Expiration of the Period limited thereby for the Execution of the Works mentioned therein, object to the Execution of such Works in the Manner specified, and to the proposed Apportionment of the Expenses of executing the same, and may give Notice in Writing within the Period aforesaid to the Local Board or Local Authority of the Matters objected to.

In

In default of giving the Notice lastly required, it shall not be competent for such Person to question the Validity of any Rate or Charge made by the Local Board or Local Authority for defraying or securing the Expenses incurred by them in executing such Works, except on the Ground that the same have not been executed in conformity with the Plan, Section, Specification, or Estimates thereof:

(4.) In case of Notice of Objection as aforesaid, the Local Board or Local Authority may thereupon require that the several Matters objected to shall be referred to Arbitration in the Manner prescribed by "The Public Health Act, 1848," before they proceed to execute the Works in question, and the Result of such Arbitration shall be final:

(5.) The Charge upon any Property affected by the Works executed under this Section in respect of the Expenses incurred by any Local Board or Local Authority in the Execution of such Works shall have Priority over any Mortgage or other Incumbrance upon such Property, and shall be recoverable in the Manner provided by "The Public Health Act, 1848," and "The Local Government Act, 1858," for the like Purpose.

Clause C. Objections, &c.

11. No Objection shall be allowed at the Hearing of any Information or other Proceeding under this Act on the Ground of any alleged Defect in any Notice, Summons, Complaint, or Order made or issued under this Act, or on account of any Variance between such Notice, Summons, Complaint, or Order, and the Evidence adduced at the said Hearing, unless it shall appear to the Justices present and acting at the said Hearing that the said alleged Defect or Variance has misled the Person by or on whose Behalf the said Objection is taken; but if the said Justices shall be of Opinion that the said alleged Defect or Variance has misled such Person, it shall be lawful for the said Justices to amend the same, and to adjourn the Hearing of such Information or Proceeding to such Time and on such Terms as they shall think fit.

Additional Powers for Local Boards or Local Authorities to execute Works of Improvement.

12. Any Local Board or Local or other Authority (except Guardians) shall have Power to execute, by means of any Loan under this Act, all or any of the following Works, in addition to the Works authorized by The Local Government Act, 1858, or any Local Act; that is to say, any such Local Board or Local or other Authority shall have Power—

To acquire, drain, lay out, plant, or otherwise improve any Common or other Lands used or intended to be used as Places of Public Recreation, to construct, improve, or enlarge any Reservoir for

Water Supply, and to lay down or extend the requisite Pipes for such Reservoir;

To widen, deepen, cleanse, embank, straighten, or otherwise improve any River, Stream, or Brook;

and also to enter into any Agreement respecting the Execution of any such Work, or the Apportionment of the Cost thereof, with any Person or Authority interested in Property adjoining to any such Lands, River, Stream, or Brook, or likely to be beneficially or otherwise affected by any such Work.

Power for Execution of private Improvements by Agreement with Owners of Property.

13. Any Local Board or Local or other Authority (except Overseers) may agree with the Owner of any Lands in or adjoining to or near their District to make any Road or to execute any Work of Drainage or of private Improvement through, in, or on such Lands, at the Expense of the Owner, and may allow the Owner Time for Repayment of the Amount expended, and receive the same by annual Instalments, not being less than One-thirtieth Part of the entire Sum, with Interest at not less than the Rate of Three Pounds Ten Shillings per Centum per Annum upon the Sum from Time to Time remaining unpaid: Provided always, that any Lessee for a Term of which not less than Thirty Years shall be unexpired of any such Lands shall for the Purposes of this Act be considered the Owner.

Where such Owner has a limited Estate or Interest only in such Lands, he may, by an Instrument in the Form set forth in the Schedule to this Act, with such Variations as Circumstances may require, charge the Inheritance of such Lands with the Amount so expended, and with the Amount of the Costs incurred by the Local Board or Local or other Authority, and by such Owner, in relation to the Security to be given by him, together with Interest for the aggregate of those Amounts, at the Rate aforesaid, and may, by the same Instrument, declare the Manner and Times of the Payment of such Interest and of the Instalments aforesaid; and all the Provisions of The Local Government Act, 1858, with respect to the Recovery and Redemption of Private Improvement Rates shall apply, as far as may be, to every such Charge.

Provided, that no such Instrument shall operate so as to charge the Estate or Interest of any Person taking in succession after such limited Estate or Interest, until a Certificate, signed by an Engineer to be appointed as aforesaid, has been endorsed thereon, to the Effect that in the Opinion of such Engineer the Works in respect of which such Charge is intended to be created have been duly executed, and will effect such a permanent Increase in the yearly Value of the Lands to be charged as will render the Amount expended an Outlay beneficial to the Inheritance; and every such Certificate, so signed, shall

shall be conclusive Evidence that the Engineer by whom the same is given has been duly appointed for the Purpose aforesaid.

In this Section the Term "Owner" means the Person who is for the Time being in Receipt, whether on his own Account or as Trustee for any other Person, of the Rackrent of the Lands affected by such Works; or who, if such Lands were let to a Tenant at Rackrent, would for the Time being be entitled to the Receipt thereof for his own Benefit.

CLAUSE D.

Power for Guardians, where there is no Local Board or Local Authority, to borrow for useful Works.

14. If the Guardians of any Union should, at a Meeting held after special Notice in Writing sent to every elected and ex officio Guardian of the Union, determine that it would contribute to the Health or Convenience of the Inhabitants of any Place for which such Guardians are the Local Authority for executing the Powers of the Nuisances Removal Acts that any of the following Works should be executed, viz.:

That any Pond, Pool, open Ditch, Sewer, or Drain should be drained, cleansed, covered, or filled up;

That any Highway or public Road or Footpath should be made, levelled, or improved;

That any River, Stream, or Brook should be widened, deepened, cleansed, embanked, straightened, or otherwise improved;

That a Sewer or Drain should be made or improved;

That a Well should be dug;

That a Reservoir for Water Supply should be constructed, improved, or enlarged, or the requisite Pipes connected with any Reservoir for Water Supply be laid down, improved, or extended;

That any Common or other Lands used or intended to be used as Places of Public Recreation should be drained, laid out, planted, or otherwise improved; or

That any other Work of Public Utility or sanitary Improvement should be executed;

such Guardians may procure a Plan of such Works, and an Estimate of the Cost thereof, and lay the same before the Poor Law Board, who, upon being satisfied that such Works may be properly undertaken and executed, may, by an Order, authorize the Guardians to borrow, and thereupon the Public Works Loan Commissioners may lend to the Guardians, subject and according to the Provisions hereinbefore contained, such Money as the Poor Law Board may consider necessary for the Works so approved, the Repayment of such Money, with Interest at the Rate aforesaid, to be secured by the Guardians by a Mortgage of or Charge upon the Rates raised or to be raised in Manner herein-after mentioned; the Guardians shall cause such Works to be executed, paying the Cost thereof out of the Money so borrowed, with Power nevertheless, if they think fit, from Time to Time to appoint a Committee or Committees of their own Body, of which

Committee the elected Guardian or Guardians of any such Place and the resident Justices of the Peace shall ex officio be Members, if not otherwise elected, to act in and for One or more of the Places for which the Guardians are the Local Authority, and every Committee so appointed shall have the full Power to direct and superintend the Execution of such Works within the specified Place or Places for which the Committee is appointed.

CLAUSE E.

Manner in which Parishes are to contribute towards the Repayment of Loans to Guardians.

15. The Instalments of Principal in Repayment of any Loan under this Act to Guardians shall, with the Interest on so much of the Loan as from Time to Time remains unpaid thereon, be contributed and raised in manner herein-after mentioned; (that is to say,)

(1.) Where the Works for which the Loan has been advanced shall be undertaken for a Place maintaining its own Poor, the Instalments and the Interest shall be contributed by the Overseers upon the Order of the Guardians out of the Poor's Rate, in like Manner as the other Claims of the Guardians upon them:

(2.) Where the Works shall be undertaken for Two or more such Places the Instalments and the Interest shall be apportioned by the Guardians between such Places in proportion to the Costs of the Works undertaken therein respectively, as set forth in the Estimate for the same, approved of by the Poor Law Board, and the Instalments and Interest when so apportioned shall be contributed by the Overseers of such Places respectively upon the Order of the Guardians as aforesaid:

(3.) Where the Works have been executed in a Place, for Part only of which the Guardians are the Local Authority, the Instalments and the Interest shall be contributed by the Overseers upon the Order of the Guardians, but the Overseers shall raise the Amount from Time to Time as required by a separate Rate upon all the rateable Property within that Part of such Place within which the Guardians are the Local Authority, as if such Part were a separate Place maintaining its own Poor; and such Rate shall be made and enforced in like Manner in every respect as a Rate for the Relief of the Poor:

(4.) Where the Works shall be undertaken for One or more Places maintaining their own Poor, and also for One or more such Places, for Part only of which the Guardians are the Local Authority, the Instalments and the Interest shall be apportioned by them between such Places and Parts of Places respectively, and shall be contributed and collected by the Overseers in manner herein-before provided with respect to Contributions from such Places and Parts of Places respectively.

16. The

Incorporation of Lands Clauses Act, except as to compulsory Powers.

16. The Lands Clauses Consolidation Act, 1845, and any Act amending the same, except with respect to the taking of Lands otherwise than by Agreement, shall be incorporated with this Act; and for the Purposes of those Acts, this Act shall be deemed the Special Act, and the Local Board or Local or other Authority, exercising the Powers of this Act, shall be deemed the Promoters of the Undertaking.

Incorporation of Clauses of 10 & 11 Vict. c. 16. with respect to Mortgages

17. The Clauses of The Commissioners Clauses Act, 1847, with respect to the Mortgages to be executed by the Commissioners, except so far as the same may be inconsistent with the Provisions of the said Act of the Session of the Twenty-fourth and Twenty-fifth Years of Her Majesty (Chapter Eighty), or of any of the Acts therein recited, shall be incorporated with this Act; and in the Construction of this Act and of the said incorporated Clauses this Act shall be deemed the Special Act, and the Local Board or Local or other Authority to which a Loan is made shall be deemed to be the Commissioners.

Validity of Mortgages notwithstanding Irregularities of Proceedings.

18. Every Mortgage for securing Money lent under this Act purporting to be executed by any such Local Board or Local or other Authority as herein-before described, except Guardians, in manner provided by the Clauses of The Commissioners Clauses Act, 1847, herein incorporated, and every like Mortgage purporting to be executed by the Guardians of any Union, Parish, or Township as aforesaid, shall constitute a complete and valid Security on the Rates, Property, and Income thereby expressed to be mortgaged, and shall give to and impose on the Local Board or Local or other Authority entrusted with the levying of the Rates thereby expressed to be mortgaged, or authorized to make Calls for Contributions as herein-before mentioned, the Power and Obligation from Time to Time to levy such Rates, or to make and enforce such Calls, as the Case may be, to an Amount sufficient to maintain any such Works, and to discharge, in manner provided by such Mortgage, the Principal and Interest expressed to be thereby secured, notwithstanding any Defect or Irregularity in the Election, Appointment, Constitution, or Proceedings of such Local Board or Local or other Authority, and notwithstanding any Vacancy in the Number of Persons, or any Disqualification of any Person or Persons being a Member of or constituting such Local Board or Local or other Authority, and notwithstanding that any Person or Persons may have assumed to act as Member or Members of such Local Board or Local or other Authority, or as such Authority, though not legally elected, appointed, constituted, or qualified as such Member, Members, or Authority.

Validity of Security on Rates notwithstanding Defect in compliance with Conditions of Act.

19. Where the Public Works Loan Commissioners make a Loan in pursuance of any such Order of the Poor Law Board as herein-before mentioned, and take a Mortgage for securing Repayment of the same, purporting to be made under the Authority of this Act, they shall not be bound to require Proof that any Condition imposed by this Act has been duly complied with; and in every such Case the Local Board or Local or other Authority shall have full Power and is hereby required to levy the Rates mortgaged, or to make and enforce such Calls for Contributions as aforesaid, as the Case may be, for Repayment of the Money borrowed, with Interest, notwithstanding that any such Condition may not have been complied with; and it shall not be competent to any Ratepayer or other Person to question the Validity of any such Mortgage or Rate on the Ground that any such Condition had not been complied with.

Limitation of Time for obtaining Loans.

20. The Poor Law Board shall not make an Order for a Loan under this Act in any Case after the First Day of July One thousand eight hundred and sixty-four, unless they think fit to make an Order after that Day with a view to the Completion of Works then already begun.

Extent of Act same as that of Union Relief Aid Acts.

21. This Act shall extend and apply only to Boroughs, Parishes, Towns, Districts, and Places within or comprising the Unions situate wholly or in part in the Counties of Chester, Lancaster, and Derby.

Interpretation.

22. The Word "Overseers" shall include Churchwardens in the Case of any Parish to which this Act applies.

Short Title.

23. This Act may be cited as The Public Works (Manufacturing Districts) Act, 1863

SCHE-

SCHEDULE.

THIS DEED, made the Day of One thousand eight hundred and sixty- , witnesseth that *A.B.*, of being the Owner within the Meaning of The "Public Works (Manufacturing Districts) Act, 1863," of the Lands mentioned in the Schedule hereto, by virtue and in exercise of the Power in this Behalf vested in him by the said Act, and of every other Power enabling him in this Behalf, doth hereby charge the Inheritance of such Lands with the Sum of Pounds, being the Amount expended by [*describe the Local Board or Local Authority*] in the Execution of the following Works for the Improvement of the said Lands [*describe the Works*], and with the Sum of Pounds, being the Amount of the Costs incurred by the said Local Board [*or Local Authority*] and the said *A.B.* as such Owner as aforesaid, in relation to this present Security, making together the Sum of Pounds, together with Interest for the same aggregate Sum of Pounds at the Rate of Three Pounds Ten Shillings per Centum per Annum from the Day of until full Payment thereof; and doth hereby declare that the said Principal Money and Interest shall be paid by the Owner for the Time being of the said Lands to the said Local Board [*or Local Authority*] in manner following; namely, the Interest on such Principal Sum of Pounds, or on so much thereof as from Time to Time remains unpaid, shall be paid by equal Half-yearly Payments on the Day of and the Day of in every Year, the First Payment of such Interest to be made on the Day of One thousand eight hundred and sixty- ; and such Principal Sum of Pounds shall be paid by equal annual Instalments on the Day of in every Year, the first of such Instalments to be paid on the Day of One thousand eight hundred and sixty- .

In witness whereof the said *A.B.* hath hereunto set his Hand and Seal the Day of One thousand eight hundred and sixty-

Witnesses.

C.D. *A.B.* (L.S.)

E.F.

SCHE-

SCHEDULE of LANDS charged.

Description of Lands.	Name of Occupier.	Where situate.	Total Acreage.

Public Works (Manufacturing Districts).

A

BILL

[AS AMENDED IN COMMITTEE]

To facilitate the Execution of Public Works in certain Manufacturing Districts; to authorize for that Purpose Advances of Public Money to a limited Amount upon Security of Local Rates; and to shorten the Period for the Adoption of The Local Government Act, 1858, in certain Cases.

(Prepared and brought in by Mr. Villiers and Mr. Chancellor of the Exchequer.)

Ordered, by The House of Commons, *to be Printed,* 26 *June* 1863.

[Bill 192.]

Under 2 oz.

LORDS AMENDMENTS

TO THE

PUBLIC WORKS (MANUFACTURING DISTRICTS) BILL.

Note.—*The Page and Line refer to the Bill* (179.) *as printed by the Lords.*

Page 6. Line 8. After ("Act") insert ("Amendment Act")

Page 8. Lines 11 and 12. Leave out ("(except Overseers)")

Line 12. After ("agree") insert ("but in the Case of "Guardians not without the Approval of the Poor Law "Board")

Line 20. Leave out from ("unpaid") to ("where") in Line 23.

Page 9. Line 7. Leave out from ("thereof") to the End of the Clause, and insert ("whether on his own Account or as Trustee for "any other Person: Provided that any Person holding any Lands "under a Lease shall not be entitled to be deemed the Owner thereof "within the Meaning of this Section unless he holds the same for a "Term whereof Thirty Years at least are unexpired at the passing "of this Act, or for Lives whereof Two at least are subsisting at the "passing of this Act, and where such Years or Lives are not unex-"pired or subsisting the Person entitled to the Reversion immediately "expectant on the Determination of such Lease shall be deemed the "Owner within the Meaning of this Section")

Page 10. Line 30. Leave out ("have been executed in") and insert ("shall be undertaken for")

LORDS AMENDMENTS

TO THE

PUBLIC WORKS (MANUFACTURING DISTRICTS) BILL.

Ordered, by The House of Commons, *to be Printed,*
15 *July* 1863.

[Bill 245.]

Under 1 *oz.*

A

BILL

TO

Render it unnecessary to make and subscribe certain Declarations as a Qualification for Offices and Employments.

WHEREAS an Act was passed in the Ninth Year of the Reign of King George the Fourth, intituled "An Act for "repealing so much of several Acts as imposes the "Necessity of receiving the Sacrament of the Lord's Supper as a "Qualification for certain Offices and Employments:" And whereas another Act was passed in the First and Second Years of the Reign of Her present Majesty, intituled "An Act for the Relief of Quakers, "Moravians, and Separatists elected to Municipal Offices:" And whereas another Act was passed in the First and Second Years of the Reign of Her present Majesty, intituled "An Act for the further "Relief of Quakers, Moravians, and Separatists:" And whereas another Act was passed in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled "An Act for the Relief of "Persons of the Jewish Religion elected to Municipal Offices:" And whereas it is expedient to render it unnecessary to make and subscribe any Declaration prescribed by any of the said Acts: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent

Preamble.

9 G. 4. c. 17.

1 & 2 Vict. c. 5.

1 & 2 Vict. c. 15.

8 & 9 Vict. c. 52.

Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

Obligation to make Declarations prescribed by the recited Acts abolished.

1. It shall not be obligatory for any Person who shall hereafter be placed, elected, or chosen in or to the Office of Mayor, Alderman, Recorder, Bailiff, Town Clerk, or Common Councilman, or in or to any Office or Magistracy, or Place, Trust, or Employment relating to the Government of any County, City, Corporation, Borough, or Cinque Port within England and Wales or the Town of Berwick-upon-Tweed, either before or upon or after his Admission into any of the aforesaid Offices or Trusts, or for any Person who shall hereafter be admitted into any Office or Employment, or who shall accept from Her Majesty, Her Heirs and Successors, any Patent, Grant, or Commission, either before or upon or after his Admission to any Office, Employment, or Place of Trust, or his Acceptance of any Patent, Grant, or Commission, to make and subscribe any Declaration prescribed by any of the said Acts.

Railway Bills Bill.

ARRANGEMENT OF CLAUSES.

Preamble.

PART I.

By whom the Provisions of the present Act shall be carried into execution.

CLAUSES.

1. Board of Trade to carry Act into execution.
2. Power to appoint Commissioners and other Officers. Commissioners to be Barristers of Seven Years standing at the least.
3. Commissioners not to sit in the House of Commons.
4. Salaries and Allowances to Commissioners and other Officers.
5. Oath to be taken by Commissioners. Form of Oath. Appointment of Commissioners to be published in London Gazette.
6. Power to summon Witnesses.
7. Penalty for neglecting or refusing to attend such Summons.
8. False Evidence to be deemed Perjury, &c.
9. Board of Trade may delegate Powers to Commissioners.

PART II.

As to Notice of Application for projected Undertaking, and Examination into its Merits previous to bringing in an Act.

10. Notice to be given by the Promoters intending to apply for an Act to construct a Railway.
11. In what Cases existing Railway Companies may send Notices of Application for projected Undertaking.
12. Board of Trade to give Notice of Deposit of Application, and to appoint Meetings for hearing Objections. How Notices to be published.
13. On whom individual Notices are to be served.

CLAUSES.

14. How Labourers' Tenements to the Number of Thirty are to be dealt with.
15. Notice of Objections to be sent to Board of Trade.

Who may object.

16. Competition may be a Ground of Objection.
17. In what Cases Shareholders may be heard.
18. In what Cases Railway Companies shall be heard.
19. When Municipal Authorities and Inhabitants of Towns may be heard.
20. Commissioner and Inspecting Officer to make their Reports to Board of Trade.
21. Board of Trade to make Provisional Order after the Report of Commissioner, &c.
22. Expenses of Witnesses to be paid under Direction of the Board of Trade.
23. Costs may be imposed upon frivolous or vexatious Objectors.
24. Allowances to Commissioners and other Officers and all Expenses incident to Provisional Order to be borne by the Promoters.
25. Security for Costs of Inquiry to be taken by Board of Trade.
26. Certificate of Amount of Costs of Inquiry to be taken as Proof thereof in all Courts of Law or Equity.

PART III.

As to Confirmation of Provisional Order and Certificate to be granted thereon authorizing an actual and official Survey of the projected Undertaking, and Construction thereof, with the Manner in which such Survey shall be made, and the Sections, Plans, and Book of Reference relating thereto prepared.

27. Certificate of Board of Trade authorizing actual Survey, &c.

Powers of Entry.

28. Power of Entry on Lands to make Survey. Any Hindrance thereto a Breach of the Peace. Owners to have Compensation for Damage.
29. Plan with Report of Survey and Estimate of Expense to be deposited for Inspection. Meetings to be held for hearing Objections to and for testing Accuracy of Survey and Estimate of Expense Commissioner to make his Report.
30. Confirmation thereof by Board of Trade, &c.

CLAUSES.

PART IV.

As to Deposit of Money and Declaration in certain Cases; as to Operation of Standing Orders in each House of Parliament, and Report of Board of Trade, &c. to Parliament.

31. Deposit of Eight per Cent. upon the Estimate of Expense.
32. Cases where Declaration alone is deposited.
33. Proceedings under this Act to be in accordance with the Standing Orders of Parliament, except where varied by this Act.
34. Board of Trade, &c. to report to Parliament.

PART V.

As to Forms of Proceedings to be issued by Board of Trade, &c., and Interpretation of Words, &c.

35. Forms of Proceedings, how to be prepared.
36. Orders and Certificates to be under Seal.
37. Summonses to be signed by Commissioner.
38. Interpretation of Words, &c.

A

BILL

FOR

Diminishing the Expense attending the passing of Bills relating to Railways, and affording Facilities for obtaining ample and trustworthy Information thereon.

WHEREAS it is expedient to lessen the preliminary and other Expenses incident to the Introduction and passing of Railway Acts through either House of Parliament, and to afford Facilities for procuring more complete and trustworthy Information in relation thereto: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

Part I.

By whom the Provisions of the present Act shall be carried into execution.

1. This Act shall be carried into execution by the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations commonly designated "the Board of Trade," together with Board of Trade to carry Act into execution.

with such other Persons, being Members of Her Majesty's said Privy Council, as may be from Time to Time appointed by Her Majesty to be Lords of the said Committee for the special Purpose of aiding and carrying out the Provisions of this Act; and it shall be lawful for the said Committee to appoint from their Body a Sub-Committee, consisting of Five or more Members (Four of whom shall be a Quorum), to be styled "The Railway Council of the Board of Trade," and such Council shall, for the Purposes of this Act, have all the Powers and Authorities hereby vested in the said Board of Trade.

Power to appoint Commissioners and other Officers.
6 & 7 W. 4. c. 71. s. 4.
8 & 9 Vict. c. 118. s. 4.

2. The Board of Trade shall from Time to Time appoint a sufficient Number of Persons to be Commissioners, Inspecting Officers, Shorthand Writers, Clerks, Messengers, and other Officers as they shall deem necesary, and to remove the same or any of them, and on any Vacancy in any of the said Offices to appoint some other Person thereto; and the Persons so appointed shall assist in carrying this Act into execution at such Places and in such Manner as the Board of Trade may direct: Provided always, that the said Commissioners so to be appointed shall be Barristers of *Seven* Years standing at the least, and the said Inspecting Officers skilful and efficient Civil Engineers.

Commissioners to be Barristers of Seven Years standing at the least.

Commissioners not to sit in House of Commons.
6 & 7 W. 4. c. 71. s. 5.

3. No Commissioner appointed as aforesaid shall during his Continuance in such Office be capable of being elected or of sitting as a Member of the House of Commons.

Salaries and Allowance to Commissioners and other Officers.
6 & 7 W. 4. c. 71. s. 7.
8 & 9 Vict. c. 118. s. 6.

4. The Allowance to the Commissioners, Inspecting Officers, and Shorthand Writers, and the Salaries of such Clerks, Messengers, and other Officers to be appointed under this Act shall be from Time to Time regulated by the Commissioners of Her Majesty's Treasury; but nevertheless so that the Allowance of a Commissioner shall not exceed the Sum of Pounds, nor that to an Inspecting Officer the Sum of Pounds, nor that to a Shorthand Writer the Sum of Pounds for every Day that he shall be actually employed or travelling in the Performance of his official Duties, and that the Salaries of the Clerks, Messengers, and other Officers shall be in fit Proportion: Provided always, that the said Commissioners of the Treasury may allow to any Commissioners, Inspecting Officers, Shorthand Writers, Clerks, Messengers, and other Officers any such reasonable Travelling and other Expenses as may have been incurred by him in the Performance of his Duties under this Act, in addition to his Salary or Allowance respectively.

5. Every

Commissioner to take an Oath. 6 & 7 W. 4. c. 71. s. 9. 8 & 9 Vict. c. 118. s. 8.

5. Every such Commissioner before he enters upon the Execution of his Office shall take the following Oath before any of Judges of the Courts of Common Law; that is to say,

Form of Oath.

'I A.B. do swear that I will faithfully, impartially, and honestly, according to the best of my Skill and Judgment, fulfil all the Powers and Duties of a Commissioner under an Act passed in the Year of the Reign of Queen Victoria, entitled 'An Act to regulate the Mode of Procedure as to the Introduction and passing of Railway Acts'.'

Appointment to be published in the London Gazette.

And the Appointment of every such Commissioner, with the Time when, and the Name of the Judge before whom, he shall have taken the Oath aforesaid, shall be forthwith published in the London Gazette.

Board of Trade and Commissioner may summon and examine Witnesses. 6 & 7 W. 4. c. 71. s. 10. 8 & 9 Vict. c. 118. s. 9.

6. The Board of Trade or any Commissioner may, by Summons under their or his Hand, require the Attendance of all such Persons as they or he may think fit to examine upon any Matter brought before them as herein-after mentioned, and also make any Inquiries and call for any Answer or Return as to any such Matter, and also administer Oaths and examine all such Persons upon Oath, and cause to be produced before them or him all Books, Deeds, Contracts, Agreements, Accounts, Writings, Maps, Plans, Surveys, and other Documents or Copies thereof respectively in any wise relating to any such Matter: Provided always, that no such Person shall be required, in obedience to any such Summons, to produce any Deeds, Papers, or Writings relating to the Title of any Lands through which the projected Line of Railway may pass.

Penalty for neglecting or refusing to attend such Summons. 9 & 10 Vict. c. 106. s. 4.

7. In case any Person shall wilfully neglect or refuse to attend such Summons, or to produce such Documents as he may be required, or to answer upon Oath such Questions as may be put to him under the Provisions herein contained, such Person shall incur a Penalty not exceeding *Fifty Pounds*, which may be recovered in the County Court of the District in which such Person shall have been summoned, and on Conviction of the Offender, and in default of Payment of such Penalty, together with the Costs of Suit, the Judge of the said Court shall be empowered to enforce Payment of the same by an Execution against the Goods and Chattels of the Offender or by Imprisonment in case of an Insufficiency of Assets according to the ordinary Mode of Procedure for the Recovery of Debts in such Court; and such Penalty so recovered shall be paid to the Overseers of the Parish, Township, or District within which such Conviction shall take place in aid of the Rate for the Relief of the Poor.

False Evidence to be deemed Perjury; altering or destroying Documents a Misdemeanor. 6 & 7 W. 4. c. 71. s. 93. 8 & 9 Vict. c. 118. s. 144.

8. If any Person under the Provisions of this Act shall wilfully give false Evidence or make or subscribe a false Affidavit or Declaration for the Purposes of this Act, he shall be deemed guilty of Perjury, and shall suffer the Penalties incident thereto; and if any Person shall wilfully alter, withhold, or destroy any Book, Deed, Writing, Map, Plan, Survey, or other Document, or any Copy of the same, which may be lawfully required to be produced before the said Board or Commissioner, he shall be deemed guilty of a Misdemeanor and punishable accordingly.

Board of Trade, &c. may delegate Powers to Commissioners except the Powers to be exercised under their Seal. 6 & 7 W. 4. c. 71. s. 11. 8 & 9 Vict. c. 118. s. 10.

9. The Board of Trade may delegate to their Commissioners such of the Powers hereby given to the said Board as they shall think fit, (except the Power of confirming any Act herein required to be done under the Seal of the said Board,) and the Powers so delegated shall be exercised under such Regulations as the said Board shall direct; and the said Board may at any Time recall or alter all or any of the Powers delegated as aforesaid and, notwithstanding the Delegation thereof, may act as if no such Delegation had been made, and all Acts done by any such Commissioner in pursuance of such delegated Powers shall be obeyed by all Persons as if they had proceeded from the said Board, and the Non-observance thereof shall be punishable in like Manner.

Part II.

As to Notice of Application for projected Line of Railway, or for additional Powers to any Railway Company, and Examination into its Merits by Board of Trade previous to bringing in an Act.

Notice to be given to the Board of Trade, &c. by Promoters intending to apply for an Act to construct Railway. 8 & 9 Vict. c. 118. s. 25.

10. In any Case where it is intended to apply for an Act of Parliament to construct a Railway, or for continuing, altering, or enlarging any of the Powers or Provisions contained in any present Act relating to Railways, either by giving Powers of Amalgamation or working Arrangements between Companies, Powers of subscribing to other Companies, purchasing Property not contemplated by their Acts of Parliament, or by carrying on some Work not within the Provisions thereof, for fresh Arrangements as to Capital, Consolidation of Companies Acts, extending the Time for the Construction of a Railway or its Abandonment, or any other Matter relating to any Railway or projected Railway, a Noitce in Writing of such intended Application signed by the Promoters or their duly authorized Agent, but in regard to existing Companies subject to the Conditions herein-after contained, shall be sent or delivered to the Board of Trade, and there shall be attached to such Notice, where applicable, a Map or Plan with a longitudinal Section delineating a general Outline or Demarcation of such intended Construction,

struction, together with any lateral Deviation, as to its Length in Miles and Furlongs, and the Extent of Lands through which it passes, including a Description of Parks and ornamental Grounds; such Map or Plan to be prepared either from actual Survey or from Parish or District or private Estate Maps, or from those deposited in the Tithe Commutation Office, at the Discretion of the Promoters, together with a published Map to a Scale of not less than Half an Inch to a Mile (or in Ireland to a Scale of not less than a Quarter of an Inch to a Mile), with the Line of Railway delineated thereon, so as to show its general Course and Direction, and also an explanatory Statement showing the Reasons for such Application, the probable Expense of such Construction, the Amount of Capital proposed to be raised, the Amount of Traffic and Profits expected to be realized, and the probable Advantages to be derived from it to the Community at large, or to the particular Locality, or to both.

In what Cases existing Railway Companies may send Notice of Application for projected Undertaking.

11. No Notice of Application to empower any Railway Company already constituted by Act of Parliament to execute, undertake, or contribute towards any projected Work other than that for which it was originally established, or to sell or lease their Undertaking, or any Part thereof, with any other Undertaking, shall be allowed to proceed unless such Notice shall have been previously submitted to a Meeting of Proprietors of such Company held specially for that Purpose, Notice of such Meeting to be inserted for *Two* successive Weeks in a Morning Newspaper published in London, Edinburgh, or Dublin, as the Case may be, and in a Newspaper of the County or Counties in which the principal Office or Offices of the Company is or are situate, and also by a Circular addressed to each Proprietor at his last known or usual Address, and sent by Post, or delivered at such Address not less than Ten Days before the holding of such Meeting, enclosing a blank Form of Proxy, with proper Instructions for the Use of the same, and the same Form of Proxy and the same Instructions, and none other, shall be sent to every such Proprietor, but no such Form of Proxy shall be stamped, nor shall the Funds of the Company be used for the stamping any Proxies, except the Company shall at a General Meeting determine otherwise, in which Case a stamped Proxy shall be sent to each Proprietor with such Instructions as aforesaid, and such Meeting shall be held not earlier than Seven Days after the last Insertion of such Advertisement; and also that at such Meeting the said Notice was submitted to the Proprietors aforesaid then and there present, and was approved of by such Proprietors then and there present, or by their duly authorized Agent holding at least *Three Fourths* of the paid up Capital of the Company represented at such Meeting, such Proprietors being qualified to vote at the Meeting in right of such Capital.

Board of Trade, &c. to give Notice of Deposit of Application, and to appoint Meetings for hearing and determining Objections. 6 & 7 W. 4. c. 71. s. 61. 8 & 9 Vict. c. 118. s. 162.

How Notice is to be published.

12. As soon as conveniently may be after the Receipt of such Notice of Application and of the Deposit or Security herein-after mentioned, the Board of Trade shall cause a Copy of such Notice, and where applicable of the Map or Plan with longitudinal Section, and also the published Map and explanatory Statement thereto attached, to be deposited at some convenient Place within the respective Parishes, Townships, or Districts through which the projected Line is intended to pass, for the Inspection of all Persons interested in the Undertaking, and shall forthwith cause Notices of such Places of Inspection to be affixed on the Church Doors or other usual Places for affixing public Notices within the said respective Parishes, Townships, or Districts, and also to be inserted in *One* or more of the provincial Newspapers circulated within the respective Counties through which the intended Line is intended to pass, and also shall in such Notice appoint some convenient Place and Time (the first not earlier than *Twenty-one* Days from the first giving of such Notice,) within any One or more of the said Parishes, Townships, or Districts for the Purpose of examining into the Merits of such intended Application; and the Commissioner at such Meeting shall hear and determine any Objections which may be then and there made by the Owners, Lessees, and Occupiers of Land within One hundred Yards on each Side of such projected Line, (supposing such an Extent should be proposed to be taken,) or by such other Parties who have a Right to be heard in opposition to such projected Line as are herein-after mentioned and described, or by any other Persons who in the Judgment of the said Board or Commissioner have a Right to be heard in opposition to such Undertaking, or shall adjourn the further hearing thereof if he shall think proper to a future Meeting, and from Time to Time fix further Meetings for the hearing and determining of Objections, of which further Meetings, when not holden by Adjournment, Notice shall be given in the Manner herein-before directed with regard to the original Meeting.

On whom individual Notices are to be served.

13. Similar Notices with the published Maps thereto attached shall also be sent or delivered by the Board of Trade to every Owner (or if absent, to his usual Place of Abode, or if under legal Disability to his Guardian or duly authorized Agent,) of any Park or ornamental Ground; to the Lord High Admiral or Lords Commissioners of the Admiralty in respect of all tidal Lands; to the Commissioners of Woods and Forests in respect of all Crown Lands; and to Her Majesty's Attorney General in respect of all Lands vested in Trustees for Charitable Uses, through which respective Lands the projected Line of Railway is intended to pass.

14. In

14. In any Case where it is intended in the Construction of such projected Line of Railway to take *Thirty* Houses, or more, inhabited by the Labouring Classes in any One Parish, Township, or District, the Promoters shall be required to lay before the Board of Trade, or a Commissioner, a Statement of the Number, Description, and Situation of the said Houses, the Number (so far as they can be estimated) of Persons to be displaced; and the said Board of Trade or Commissioner shall state whether any and what Provision should be made for remedying the Inconvenience likely to arise from such Displacement.

How Labourers' Tenements to the Number of Thirty are to be dealt with.

15. All Persons making any Objection to the projected Line of Railway shall send or deliver a Notice in Writing, specifying the Particulars of such Objection, to the Board of Trade within *Seven* Days after the Deposit of such Maps, where applicable, and explanatory Statement after the Publication of such Notice, and also deposit a Copy thereof at the Place in each Parish, Township, or District where the Meeting for hearing Objections is notified to be held, for the Examination of the Promoters and others interested in the Undertaking.

Notice of any Objection to be sent to Board of Trade. 8 & 9 Vict. c. 118. ss. 47, 48.

Who may object.

16. It shall be competent for the Board of Trade or a Commissioner to admit any Parties to be heard before them or him at any Meeting to hear Objections to the Notice of Application for such projected Undertaking, on the Ground of Competition, if they or he shall think fit.

Competition may be a Ground of Objection.

17. Where Notice of Application is given by any existing Railway Company, the Shareholders of such Company shall not be entitled to be heard before the Board of Trade or a Commissioner holding such Meeting to hear Objections, unless their Interests as affected thereby shall be distinct from the general Interests of such Company.

In what Cases Share holders may be heard.

18. Where a Bill for the Construction of any projected Undertaking contains Provisions for taking or using any Part of the Lands, Railway Stations, or Accommodations of another Company, or for running Engines or Carriages upon or across the same, or for granting other Facilities interfering with the Property of another Company, such Company shall be entitled to be heard before the Board of Trade or a Commissioner holding such Meetings to hear Objections against the said projected Undertaking.

In what Cases Railway Companies may be heard.

When Municipal Authorities and Inhabitants of Towns may be heard.

19. It shall be competent for the Board of Trade or any Commissioner, before whom such Meeting to hear Objections shall be held, to admit the Municipal Authorities of any Town or the Inhabitants of any Town or District alleged to be injuriously affected by the projected Undertaking to be heard against the same if they or he shall think fit.

Commissioner and Surveying Officer to make their Reports to the Board of Trade, &c. 8 & 9 Vict. c. 118. s. 26. 103.

20. The Commissioner to whom such Application shall be referred shall report in Writing to the Board of Trade the Result of his Inquiries as to the Statements contained in the said Notice of Application, and his Opinion as to the Expediency or Inexpediency of the projected Undertaking, together with the Reasons for such Opinion; and in all Cases of Applications by Promoters of competing Lines of Railway, the said Commissioner, in conjunction with the Inspecting Officer, shall report in Writing to the said Board as aforesaid by which One or more of the contending Parties the projected Undertaking ought to be made, and should they be of opinion that the Construction of such projected Undertaking ought to be divided, they shall report in Writing the Extent and Conditions upon which each of the said contending Parties shall make their respective Proportions; and should they be of opinion that neither the projected Line of the Promoters nor any of the competing Lines are the most expedient to be constructed, it shall be lawful for the said Board of Trade to suspend all further Proceedings, and direct the Promoters to furnish a Map or Plan of the more commodious Line recommended by the said Commissioner and Inspecting Officer should they determine to proceed with the same after such Suspension, and the same shall be deposited and Notices given in like Manner as is herein-before directed in regard to the original Deposit Notices.

Board of Trade, &c. to make Provisional Order after the Report of Commissioner, &c. 8 & 9 Vict. c. 118. s. 27.

21. If on the Report of the Commissioner, or after any further Inquiries they shall think necessary in relation thereto, the Board of Trade shall be of opinion that the projected Undertaking would be expedient, the said Board, by Provisional Order under their Seal, shall set forth the Terms and Conditions on which they shall be of opinion that the said projected Undertaking shall be made, and the said Board of Trade shall thereupon cause to be deposited for Inspection a Copy of the said Provisional Order in like Manner as is herein-before directed for the Deposit of the Notice of Application, and may, in case they shall think fit, cause Meetings to be holden by a Commissioner for the Purpose of hearing and determining any further Objections thereto, Notices of such Meetings to be published in like Manner as is herein-before directed for holding the original Meeting.

22. The

Expenses of Witnesses to be paid under the Direction of the Board of Trade, &c.
6 & 7 W. 4. c. 71. s. 73.
8 & 9 Vict. c. 118. s. 132.

22. The Board of Trade or a Commissioner in any Case where they or he shall think fit, may order such Expenses of Witnesses and of the Production of any Books, Deeds, Contracts, Accounts, Writings or Documents, Maps, Plans, and Surveys, or Copies thereof, and all other Expenses (except the Allowances to any Commissioner, Inspecting Officer, or Shorthand Writer,) incurred in any Inquiry as to the Expediency or Inexpediency of such projected Undertaking, or on the hearing or determining any Objection thereto or to any Provisional Award before the Commissioner as herein-before directed, to be paid by such Parties herein-before stated to be interested in the Inquiry and in the Production of such Books, Documents, Maps, Plans, and Surveys as above stated, and in such Proportions respectively as the said Board or Commissioner shall think fit and reasonable: Provided always, that no Charge for the Attendance of any Witnesses who may voluntarily present themselves before the said Commissioner for Examination under the Provisions herein contained shall be allowed by the said Board of Trade or the said Commissioner.

Costs may be imposed upon frivolous or vexatious Objectors.
8 & 9 Vict. c. 118. s. 59.

23. In any Case where it shall appear to the Board of Trade or a Commissioner that the Opposition of any Party entitled to appear before them or him is frivolous or vexatious, it shall be lawful for them or him to order such Party to pay the Costs which have been incurred by the Promoters of the projected Undertaking in resisting such frivolous or vexatious Opposition, and the Amount of such Costs, when certified by the Board of Trade as aforesaid, shall be taken as Proof thereof by any Court of Law or Equity in which the same is sought to be recovered.

Allowances to Commissioners, Inspecting Officers, and Short-hand Writers, and all other Expenses incident to Provisional Order to be borne by the Promoters.

24. The Allowances to and Expenses of Commissioners, Inspecting Officers, and Short-hand Writers, and all other Expenses of or incident to making the said Provisional Order and of the Award for making the actual Survey herein-after mentioned, shall be borne and paid by the Promoters of the said projected Undertaking in such Time and Manner and upon such Terms and Conditions as the said Board of Trade or the said Commissioner shall order and direct.

Security for the Costs of Inquiry to be taken by the Board of Trade.
8 & 9 Vict. c. 118. s. 43.

25. Upon Notice of Application for the Continuance of any projected Line of Railway being given to the Board of Trade, and previous to the Commencement of any Inquiry as to the Expediency or Inexpediency of any projected Undertaking, the said Board shall require the Promoters of such Undertaking to deposit any Sum of Money, or to give good and sufficient Security for the Payment of Costs and Expenses attending such Inquiry as to the said Board shall seem fit.

 26. The

Certificate of Amount Costs of Inquiries by Board of Trade to be taken as Proof in all Courts of Law or Equity.
9 & 10 Vict. c. 106. s. 6.

26. The Certificate of the Board of Trade as to the Allowance of all Charges for the Attendance of Witnesses, the Production of Books, Papers, Writings, Maps, Plans, Monies, and other Documents, and all other Expenses incident to the Matters herein-before contained, shall be taken as Proof in all Proceedings at Law or in Equity of the Amount of such Costs and Proceedings sought to be recovered.

Part III.

As to Confirmation of Provisional Order, and Certificate to be granted thereon, authorizing an actual and official Survey of the projected Undertaking, and Construction thereof.

Certificate of Board of Trade authorizing actual Survey.

27. Upon the Confirmation of the said Provisional Order the Board of Trade shall grant a Certificate under their Seal, authorizing the Promoters of the projected Undertaking to make an accurate Survey, according to the Rules and Regulations imposed by the Standing Order of each House of Parliament, and shall deposit a Copy of such Certificate under their Seal at the like Places, and publish Notices of such Deposit in like Manner, as is herein-before prescribed for holding the original Meeting.

Power of Entry to make Survey.

Power of Entry on Lands to make Survey.
8 & 9 Vict. c. 118. s. 123.

28. For the Purpose of surveying, admeasuring, and mapping any Land through which such projected Undertaking is intended to pass, it shall be lawful for the Promoters, their Engineers, and Surveyors, for the Commissioners and Inspecting Officers, or for any other Person delegated by the Board of Trade or a Commissioner, to enter upon and view all and every Part of such Land, either by themselves or with Assistants and Servants, and at any Time or Times whatsoever during the Progress and until the Completion of the said Survey and Measurement, mapping, and other necessary Proceedings under this Act, and to do or cause to be done all and everything requisite for putting the same into execution without any Hindrance, Molestation, or Disturbance from the Owners, Lessees, and Occupiers of such Lands, their Agents, Workmen, or Servants respectively; and any such Hindrance, Molestation, or Disturbance shall be deemed and adjudged a Breach of the Peace, and any Person so offending shall, on Conviction, be dealt with according to the Laws now in force for the Punishment of such Offences: Provided always, that the Owners, Lessees, and Occupiers of Lands over which such Entry is made shall be entitled to full Compensation for any Damage which may be committed during the Progress of such surveying, admeasuring, and mapping.

Any Hindrance or Disturbance a Breach of the Peace.

Owners, &c. to have Compensation for Damage.

29. After

Plan with Report of Survey and Estimate of Expense to be deposited for Inspection.

6 & 7 W. 4. c. 71. s. 57.

29. After the Completion of the said Survey and Admeasurement the Promoters of the Undertaking shall cause to be made a Plan thereof, together with a full Report of all the Sections and other Operations herein-before specified to be included in such Survey, and an Estimate of the Expense of constructing the projected Undertaking signed by the Person making the same, which said Plan and Report shall be forthwith transmitted to the Board of Trade, who shall deposit Copies thereof under their Seal in the principal Towns or Places of the Parishes, Townships, or Districts through which the proposed Undertaking is intended to pass, for the Inspection of all Parties interested; and also publish Notices of such Deposit in like Manner as is herein-before directed for holding the original Meeting; and shall also in such Notice appoint some convenient Time and Place for holding a Meeting before a Commissioner accompanied by One or more Inspecting Officer or Officers for the Purpose of hearing and determining any Objections which may be then and there made to the Construction of the Line as laid down and to the Accuracy of the said Plan and Survey, as well as of testing the the Correctness of the same and of the Estimate of Expense of constructing the Works, and the Commissioner shall make his Report of all such Proceedings and transmit the same to the Board of Trade.

Meetings to be held for hearing Objections to and for testing the Accuracy of Survey and Estimate of Expense.

Commissioner to make his Report.

Confirmation thereof by Board of Trade, &c.

6 & 7 W. 4. c. 71. s. 52.

30. Upon the Report of the Commissioner, or after any further Inquiries they shall think necessary in relation thereto, the Board of Trade should be satisfied with the Construction of the Line so laid down and the Accuracy of the said Survey and Estimate of Expense, or with the Expediency of carrying out the other Powers or Works herein-before specified, the said Board by an absolute Order under their Seal shall confirm the same, and forthwith transmit a Copy of such absolute Order under their Seal to the Promoters of the projected Undertaking, and Notice of such absolute Order shall be deposited and published in the Places and in the Manner herein-before directed as to the original Notice of Application: Provided always, that no absolute Order so made shall be of any Validity until the same has been confirmed by Act of Parliament; and it shall be lawful for the President of the Board of Trade or a Secretary of State, as soon as conveniently may be, to obtain such Confirmation, and the Act confirming such Order shall be deemed to be a General Act of Parliament.

But absolute Order not to be valid until confirmed by Parliament.

21 & 22 Vict. c. 98.

PART IV.

As to Deposit of Money and Declaration in certain Cases, and Operation of Standing Orders in each House of Parliament and Report thereon to Parliament.

Deposit of 8 per Cent. upon the Estimate of Expense.

31. Within *Ten* Days after the Date of the absolute Order under the Seal of the Board of Trade approving of the Construction of the Line as laid down and confirming the Accuracy of the Survey and Estimate of Expense of the projected Undertaking, the Promoters thereof shall deposit a Sum of not less than *Eight per Cent.* upon the Amount of such Estimate of Expense with the Court of Chancery in England if the Work is intended to be done in England, or with the said Court of Chancery in England or the Court of Exchequer in Scotland if such Work is intended to be done in Scotland, and with the Court of Chancery in Ireland if such Work is intended to be done in Ireland; and the Certificate of such Deposit shall be lodged with the said Board of Trade by the Promoters of such projected Undertaking previous to the Introduction of a Bill into Parliament authorizing the Construction thereof.

Cases where Declaration alone is deposited.

32. Where the projected Undertaking is to be made wholly or in part by means of Funds or out of Money to be raised upon Credit of present surplus Income belonging to any existing Railway Company, such Parties being the Promoters of the Undertaking, a Declaration, stating those Facts, and setting forth the Nature and Amount of such surplus Revenue, and showing the actual Surplus of such Funds or Revenue, after deducting the Funds required for Purposes authorized by any Act of Parliament, and given under the Common Seal of the Company, or under the Hand of some authorized Officer thereof, may be deposited, and in such Case no Deposit of Money shall be required in respect of so much of the Estimate of Expense as shall be provided for by such surplus Funds.

Proceedings to be in accordance with the present and future Standing Orders of Parliament except where varied by this Act.

Interpretation of Acts.

33. All the Proceedings under this Act shall be carried into execution in conformity with the Standing Orders of each House of Parliament relating thereto, except so far as the same may be altered or varied by the Provisions herein contained, or may be hereafter altered or varied by either House of Parliament, and the said Board of Trade shall within *Six Months* after the passing of this Act, or within *One Month* after the next Meeting of Parliament, prepare and lay before each House a Statement of such Standing Orders as they may deem consistent with the Provisions of this Act, and such as in their Judgment should be thereafter recognized as the Standing Orders by which the Proceedings under this Act should be regulated, and such Statement shall be thereafter adopted by the said Board of Trade, subject to such Alterations or Additions as may be

be made therein by either House of Parliament; and all Powers now vested in Committees under and by virtue of the said Standing Orders shall be transferred to the said Board of Trade, but subject to the Provisions herein-before contained for Confirmation of the Proceedings of the said Board or other Tribunal by Act of Parliament before the same shall be of any Validity; Provided always, that "The Railway Clauses Consolidation Act, 1845," "The Companies Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts, 1845, and 1860," (save so far as any of the Sections or Provisions of those Acts respectively are expressly excepted or varied by any future Railway Act,) shall be respectively incorporated with such Act.

Board of Trade, &c. to make Reports to Secretary of State to be laid before before Parliament. 6 & 7 W. 4. c. 71. s. 38. 9 & 10 Vict. c. 106. s. 2.

34. The Board of Trade shall from Time to Time give to any One of Her Majesty's Principal Secretaries of State such Information respecting their Proceedings as such Principal Secretary of State shall require, and shall in the Month of *January* in every Year send to One of the said Principal Secretaries of State a General Report of their Proceedings, specifying the Applications which have been made to them under the Provisions of this Act, and the several Cases in which they have authorized such Applications, and the Grounds on which they may have withheld their Consent to such Application, and also the special Grounds on which they shall deem the projected Undertaking expedient; and every such Report shall be laid before both Houses of Parliament within *Six* Weeks after the Receipt of the same by such Principal Secretary of State if Parliament be sitting, or if not sitting, then within *Six* Weeks after the next Meeting of Parliament; and such Board may from Time to Time send such special Reports in relation to all or any of the Matters aforesaid as they may think fit.

Part V.

As to Forms of Proceedings to be issued by Board of Trade, and Interpretation of Words, &c.

Forms of Proceedings how to be prepared.

35. All Forms of Notices, Summonses, Certificates, Orders, and Documents requisite for carrying this Act into execution shall be prepared and printed by the Board of Trade, and issued to the Promoters of the projected Undertaking, and other Persons at the Expense of the Parties requiring the same.

Orders and Certificates to be under Seal.

36. All Orders and Certificates issuing from the Board of Trade shall be stamped with their official Seal, and signed by the President or Vice President of such Board.

Summonses to be signed by Assistant Commissioners.

37. All Summonses for the Attendance of Witnesses and all the Documents required in any Proceedings before Commissioner shall be signed by such Commissioner.

Interpretation of Words, &c.

38. In this Act the following Words and Expressions shall have the several Meanings hereby assigned to them unless there be anything in the Subject or Context repugnant to such Construction: the Word "Person" or "Party" shall include the Queen's Majesty and any Body Corporate, Aggregate, or Sole as well as an Individual; and the Word "Land" shall include all Messuages, Woods, Waters, and other Tenements and Hereditaments of a Real Nature.

Railway Bills.

A

B I L L

For diminishing the Expense attending the passing of Bills relating to Railways, and affording Facilities for obtaining ample and trustworthy Information therein.

(Prepared and brought in by Mr. Whalley and Mr. M'Mahon.)

Ordered, by The House of Commons, *to be Printed,* 6 *February* 1863.

[Bill 6.]

Under 3 oz.

(No. 2.)

A

BILL

FOR

Diminishing the Expense attending the passing of Bills relating to Railways.

WHEREAS it is expedient to lessen the preliminary and other Expenses incident to the Introduction and passing of Railway Acts through either House of Parliament, and to afford Facilities for procuring more complete and trustworthy Information in relation thereto: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. This Act shall be carried into execution by the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations, commonly designated "The Board of Trade," together with such other Persons, being Members of Her Majesty's said Privy Council, as may be from Time to Time appointed by Her Majesty to be Lords of the said Committee for the special Purpose of aiding and carrying out the Provisions of this Act; and it shall be lawful for the said Committee to appoint from their Body a Sub-Committee, consisting of *Five* or more Members (*Four* of whom shall be a Quorum), to be styled "The Railway Council of the Board of Trade," and such Council shall, for the Purposes of this Act, have all the Powers and Authorities hereby vested in the said Board of Trade. Board of Trade to carry Act into execution.

2. All

Unopposed Bills to be referred to Board of Trade.

2. All Bills for enabling new and existing Railway Companies to make new Lines of Railway and new Railway Works when all Parties are consenting thereto, or for giving Power to Two or more Companies to enter into mutual Arrangements for the Working or Use of their respective Lines for limited Periods, or for giving Extension of Time for the Sale of superfluous Land by Railway Companies, or for Power to raise further Capital with preferential Dividends or otherwise for Completion of existing Lines or for additional Works, the Priority of the Rights of existing Preference Shareholders being secured, and all Parties as aforesaid consenting thereto, shall be referred to the Board of Trade, and the said Board shall be empowered to hear the Parties promoting the same, and to make Inquiry as to the Compliance with the Conditions required by the Standing Orders of Parliament, and to report upon the same to Parliament.

Opposed Bills to be referred to Board of Trade, all Parties consenting to such Reference.

3. Whereas it is expedient to provide the Means for deciding Questions arising in Private Bills by a more speedy and less expensive Process than an Inquiry by Committee of Parliament: Be it enacted, That it shall be lawful for the Committee of Selection and the General Committee of Railway and Canal Bills at any Time after the Committal of such Bills, with the Consent of all Parties promoting or opposing, to refer the same wholly or with reference to particular Clauses to the Board of Trade, and the said Board shall be and is hereby authorized and required to hear the Parties promoting or opposing such Bills or their Agents or Counsel, and to report upon the same to Parliament.

Board of Trade may summon and examine Witnesses. 6 & 7 W. 4. c. 71. s. 10. 8 & 9 Vict. c. 118. s. 9.

4. The Board of Trade may, by Summons under their Hand, require the Attendance of all such Persons as they may think fit, to examine upon any Matter brought before them as herein-after mentioned, and also make any Inquiries and call for any Answer or Return as to any such Matter, and also administer Oaths, and examine all such Persons upon Oath, and cause to be produced before them all Books, Deeds, Contracts, Agreements, Accounts, Writings, Maps, Plans, Surveys, and other Documents or Copies thereof respectively in anywise relating to any such Matter: Provided always, that no such Person shall be required, in obedience to any such Summons, to produce any Deeds, Papers, or Writings relating to the Title of any Lands through which the projected Line of Railway may pass.

Penalty for neglecting or refusing to attend such Summons. 9 & 10 Vict. c. 106. s. 4.

5. In case any Person shall wilfully neglect or refuse to attend such Summons or to produce such Documents as he may be required, or to answer upon Oath such Questions as may be put to him under the Provisions herein contained, such Person shall incur a Penalty not exceeding *Fifty Pounds*, which may be recovered in the County Court of

of the District in which such Person shall have been summoned, and on Conviction of the Offender, and in default of Payment of such Penalty, together with the Costs of Suit, the Judge of the said Court shall be empowered to enforce Payment of the same by an Execution against the Goods and Chattels of the Offender or by Imprisonment in case of an Insufficiency of Assets, according to the ordinary Mode of Procedure for the Recovery of Debts in such Court; and such Penalty so recovered shall be paid to the Overseers of the Parish, Township, or District within which such Conviction shall take place in aid of the Rate for the Relief of the Poor.

False Evidence to be deemed Perjury; altering or destroying Documents a Misdemeanor. 6 & 7 W. 4. c. 71. s. 93. 8 & 9 Vict. c. 118. s. 144.

6. If any Person, under the Provisions of this Act, shall wilfully give false Evidence, or make or subscribe a false Affidavit or Declaration, for the Purposes of this Act, he shall be deemed guilty of Perjury, and shall suffer the Penalties incident thereto; and if any Person shall wilfully alter, withhold, or destroy any Book, Deed, Writing, Map, Plan, Survey, or other Document, or any Copy of the same, which may be lawfully required to be produced before the said Board, he shall be deemed guilty of a Misdemeanor and punishable accordingly.

Board of Trade, &c. to make Reports to Secretary of State, to be laid before Parliament. 6 & 7 W. 4. c. 71. s. 38. 9 & 10 Vict. c. 106. s. 2.

7. The Board of Trade shall from Time to Time give to any One of Her Majesty's Principal Secretaries of State such Information respecting their Proceedings as such Principal Secretary of State shall require, and shall in the Month of January in every Year send to One of the said Principal Secretaries of State a General Report of their Proceedings, and in such Report or in any Special Report that may be required, or that they may think fit to make in relation to all or any of the Matters aforesaid, the said Board of Trade shall afford such Information and make such Suggestions in reference to the Private Bill Legislation of Parliament as to them may seem expedient or called for; and every such Report shall be laid before both Houses of Parliament within *Six* Weeks after the Receipt of the same by such Principal Secretary of State, if Parliament be sitting, or if not sitting, then within *Six* Weeks after the next Meeting of Parliament; and such Board may from Time to Time send such Special Reports in relation to all or any of the Matters aforesaid as they may think fit.

Forms of Proceedings how to be prepared.

8. All Forms of Notices, Summonses, Certificates, Orders, and Documents requisite for carrying this Act into execution shall be prepared and printed by the Board of Trade, and issued to the Promoters of the projected Undertaking, and other Persons, at the Expense of the Parties requiring the same.

9. All

Orders and Certificates to be under Seal.

9. All Orders and Certificates issuing from the Board of Trade shall be stamped with their Official Seal, and signed by the President or Vice-President of such Board.

Summonses to be signed by Commissioner.

10. All Summonses for the Attendance of Witnesses and all the Documents required in any Proceedings before Commissioner shall be signed by such Commissioner.

Interpretation of Words, &c.

11. In this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be anything in the Subject or Context repugnant to such Construction: The Word "Person" or "Party" shall include the Queen's Majesty and any Body Corporate, Aggregate or Sole, as well as an Individual.

Railway Bills (No. 2.)

A

BILL

For diminishing the Expense attending the passing of Bills relating to Railways.

(Prepared and brought in by Mr. Whalley and Mr. McMahon.)

Ordered, by The House of Commons, *to be Printed,* 8 *July* 1863.

[Bill 216.] *Under* 1 *oz.*

607

A

BILL

FOR

Consolidating in One Act certain Provisions frequently inserted in Acts relating to Railways.

WHEREAS The Railways Clauses Consolidation Act, 1845, and The Railways Clauses Consolidation (Scotland) Act, 1845, respectively, were passed in order to comprise in One General Act such Provisions relating to Railways in England or Ireland, or in Scotland, respectively, as were at the Times of the passing of those Acts usually introduced into Acts of Parliament authorizing the Construction of Railways: Preamble.

And whereas sundry Provisions of the like Nature, but not comprised in the said General Acts respectively, are now frequently introduced into Acts of Parliament relating to Railways, and it is expedient to comprise such last-mentioned Provisions also in One General Act, such Act to be applicable to England or Ireland, or to Scotland, as the Case may require, and that as well for the Purpose of avoiding the Necessity of repeating such Provisions in Special Acts relating to Railways, as for ensuring greater Uniformity in the Provisions themselves:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

 1. This

Short Title.

1. This Act may be cited as The Railways Clauses Act, 1863.

Division of Act into Parts.

2. This Act shall be deemed to be divided into Seven Parts, as follows:

Part I. relating to Construction of a Railway;
Part II. relating to Extension of Time;
Part III. relating to Working Agreements;
Part IV. relating to Steam Vessels;
Part V. relating to Amalgamation;
Part VI. relating to Powers of Amalgamation, Sale, or Leasing;
Part VII. relating to Abandonment of a Railway.

Part I.

Construction of a Railway.

Application of Part I. and Interpretation.

3. This Part of this Act shall apply to the Railway authorized to be constructed by any Special Act hereafter passed and incorporating this Part of this Act.

In this Part of this Act—

All Terms used have the same Meanings as the same Terms have when used in The Railways Clauses Consolidation Act, 1845, and The Railways Clauses Consolidation (Scotland) Act, 1845, respectively:

The Term "Tidal Water" means any Part of the Sea or any Part of a River within the Flow and Ebb of the Tide at ordinary Spring Tides:

The Term "Tidal Lands" means such Parts of the Bed, Shore, or Banks of a Tidal Water as are covered and uncovered by the Flow and Ebb of the Tide at ordinary Spring Tides.

The Provisions respecting the Recovery of Penalties contained in the said Railways Clauses Consolidation Acts respectively, as the Case may require, shall be incorporated with this Part of this Act.

Alteration of Engineering Works.

Power to alter Engineering Works.

4. Notwithstanding anything in the said Railways Clauses Consolidation Acts, respectively, contained,—the Company, in the Construction of the Railway, may deviate from the Line or Level of any Arch, Tunnel, or Viaduct, described on the deposited Plans or Sections, so as the Deviation be made within the Limits of Deviation shown on those Plans, and subject to the Limitations contained in Sections Eleven, Twelve, and Fifteen of those Acts respectively, and

and so as the Nature of the Work described be not altered,—and may also substitute any Engineering Work not shown on the deposited Plans or Sections, for an Arch, Tunnel, or Viaduct, as shown thereon; provided that every such Substitution be authorized by a Certificate of the Board of Trade; and the Board of Trade may grant such Certificate in case it appears to them, on due Inquiry, that the Company has acted in the Matter with good Faith, and that the Owners, Lessees, and Occupiers of the Lands in which the Substitution is intended to be made consent thereto, and also that the Safety and Convenience of the Public will not be diminished thereby.

Provided, that nothing in the present Section shall affect any Power given to the Company or to the Board of Trade by Section Eleven, Twelve, Fourteen, or Fifteen of the last-mentioned Acts respectively.

Level Crossings.

Trains not to be shunted over level Crossing.

5. Where the Company is authorized by the Special Act to carry the Railway across a Turnpike Road or Public Carriageroad on a Level, it shall not be lawful for the Company in shunting Trains to pass any Train over the level Crossing, or at any Time to allow any Train, Engine, Carriage or Truck to stand across the same.

Company to erect Lodge at Point of Crossing.

6. For the greater Convenience and Security of the Public, the Company shall erect and permanently maintain a Lodge fitted for the Residence of a Gatekeeper at the Point where the Railway crosses on the Level the Turnpike Road or Public Carriageroad; and the Company shall be subject to and shall abide by all such Regulations with regard to the crossing thereof on the Level, or with regard to the Speed at which Trains may pass the level Crossing, as may from Time to Time be made by the Board of Trade.

If the Company fails to erect, or to maintain, such Lodge, or to appoint or keep a proper Person to watch or superintend the level Crossing, or to observe or abide by any such Regulation as aforesaid, they shall for every such Offence be liable to a Penalty not exceeding *Twenty* Pounds, and also to a Penalty not exceeding *Ten* Pounds for every Day during which the Offence continues after the Penalty of *Twenty* Pounds is adjudged.

Board of Trade may require Bridge instead of level Crossing.

7. The Board of Trade may, if it appears to them necessary for the Public Safety, at any Time after the passing of the Special Act, require the Company, within such Time as the Board of Trade directs, and at the Expense of the Company, to carry the Turnpike Road or public Carriageroad either under or over the Railway by means of a Bridge or Arch, instead of crossing the same on a Level, or to execute such other Works as, under the Circumstances of the Case,

may appear to the Board of Trade best adapted for removing or diminishing the Danger arising from the level Crossing.

Where the Road is so carried either under or over the Railway, it shall not be necessary for the Company to erect or maintain any Lodge at the Point where the Road is crossed, or to appoint any Person to watch or superintend the Crossing thereat, nor shall they be liable to any of the aforesaid Penalties for Failure so to do.

Power for Company to take additional Land for such Work.

8. If the Board of Trade certifies that the Public Safety requires that additional Lands be taken by the Company for the Purpose of the Work directed by the Board of Trade to be executed, the Company may, subject to the Provisions of The Lands Clauses Consolidation Act, 1845, or The Lands Clauses Consolidation (Scotland) Act, 1845, as the Case may require, enter upon, take, and use, all or any Part of the Lands specified in the Certificate of the Board of Trade as being necessary for the Purpose of the Work; and the Board of Trade before issuing the Certificate shall cause such Notice as they deem reasonable to be given to any Person who may appear to them to be entitled to claim under the last-mentioned Acts, or otherwise, Compensation in respect of the taking of such Lands or in respect of such Work.

Junctions.

Communications with other Railways to be made under the Direction of the Engineer of those Railways.

9. Where the Company is authorized by the Special Act to make a Communication between the Railway and any other Railway, then and in every such Case all Interferences with the Works of the other Railway, necessary or convenient for effecting the Communication, shall be made under the Direction and Superintendence of the Engineer for the Time being of the Company or Person to whom the other Railway belongs; and in case of any Difference arising as to the Mode of effecting the Communication, the same shall be determined by a Referee to be appointed by the Board of Trade, on the Application of either Party, at the Cost of the Company making the Junction.

Not to take Lands or interfere with Works of other Company.

10. Nothing in this Act or the Special Act shall be deemed to authorize the Company to take, or enter upon, any Lands belonging to any other Railway Company or to any Person, or to alter or interfere with any Railway, or any of the Works thereof, further or otherwise than is necessary for making the Junction and Intercommunication between the Railways, as shown on the deposited Plans and Sections of the Railway to which the Special Act relates, without the previous Consent in Writing in every Instance of such other Railway Company or such Person.

11. The

11. The Company or Person with whose Railway the Junction is made may, from Time to Time, erect such Signals and Conveniences incident to the Junction, and appoint and remove such Watchmen, Switchmen, or other Persons as may be necessary for the Prevention of Danger to, or Interference with, the Traffic at and near the Junction. The working and Management of such Signals and Conveniences, whether on the Lands of the last-mentioned Company or Person, or on the Lands of the Company making the Junction, shall be under the exclusive Management and Regulation of the Company or Person with whose Railway the Junction is made; and all the Expenses of erecting and maintaining those Signals and Conveniences, and of employing those Watchmen, Switchmen, and other Persons, and all incidental current Expenses shall, at the End of every Half-year, be repaid by the Company making the Junction, and in default thereof may be recovered from them in any Court of competent Jurisdiction. As to Expense of Signals, Watchmen, &c.

Protection of Navigation.

12. Where the Company is authorized by the Special Act to construct, alter, or extend any Work on, in, or over Tidal Lands or a Tidal Water, the Company shall, on or near the Work, during the whole Time of the constructing, altering, or extending thereof, exhibit and keep burning at their own Expense, every Night from Sunset to Sunrise, such Lights (if any) as the Board of Trade from Time to Time requires or approves; and (notwithstanding the Enactments for the Time being in force respecting Lighthouses) shall also on or near the Work, when completed, always maintain, exhibit, and keep burning at their own Expense, every Night from Sunset to Sunrise, such Lights (if any) for the Guidance of Ships as the Board of Trade from Time to Time requires or approves. Lights on Works.

If the Company fails to comply in any respect with the Provisions of the present Section, they shall for each Night in which they so fail be liable to a Penalty not exceeding *Twenty* Pounds.

13. Where the Company is authorized by the Special Act to construct a Bridge over a Tidal Water, and the Special Act does not make express Provision respecting the Span or Spans thereof, then the Company shall construct the same with a Span or Spans of such Headway and Waterway, and with such opening Span or Spans (if any), and according to such Plan, as the Board of Trade directs or approves. Construction of Bridges.

14. Where the Company constructs a Bridge with an opening Span, it shall not be lawful for the Company to detain any Vessel, Barge, or Boat at the Bridge for a longer Time than may be necessary for admitting a Carriage or Engine regularly traversing the Railway and approaching the Bridge to cross the User of Bridges.

Bridge, and for opening the Bridge to admit the Vessel, Barge, or Boat to pass; and the Company shall be subject to and shall abide by such Regulations with regard to the User of the Bridge as may from Time to Time be made by the Board of Trade.

If the Company detains a Vessel, Barge, or Boat longer than the Time aforesaid, or fails in any respect to abide by any such Regulation as aforesaid, they shall for every such Offence be liable to a Penalty not exceeding *Twenty* Pounds, without Prejudice to any Remedy against them for any Loss or Damage sustained by any Person.

Access to the Shore under or across the Railway.

15. Where the Railway cuts off Access between the Land and a Tidal Water or Tidal Lands, then and in every such Case the Company shall, during the Construction of the Railway, and from Time to Time thereafter, make, and shall permanently maintain, and allow to be used by all Persons, at all Times, free of Toll or other Charge, all such Footways and Carriageways over, under, or across the Railway, or on a Level therewith, as the Board of Trade from Time to Time directs or approves: Provided always, as follows:

(1.) The Company shall not be obliged to make a Footway or Carriageway over Lands for the Use of an Owner or Occupier who has agreed to receive and has been paid Compensation for the Severance thereof from the Tidal Water or Tidal Lands:

(2.) The Company shall not be obliged to make a Footway or Carriageway in such Manner as would interfere with the working or using of the Railway:

(3.) The Expense of the making and Maintenance of a Footway or Carriageway required to be made after the Construction of the Railway shall be defrayed by the Persons or Body interested in the Tidal Water or Tidal Lands for whose Benefit or Convenience the same is required.

Where the Footway or Carriageway is made across the Railway on the Level, then the Manner of the making and watching of the level Crossing shall be subject to the Approval of the Board of Trade; and where the level Crossing is made after the Construction of the Railway, then all Expenses attending the watching thereof shall be defrayed by the Persons or Body interested in the Tidal Water or Tidal Lands for whose Benefit or Convenience the same is required.

Prohibition of Deviation of certain Works with-

16. Where the Company is authorized by the Special Act to construct a Railway skirting or coursing Tidal Lands or a Tidal Water, the Company shall not make any Deviation of the Railway in

in the Direction of the Tidal Lands or Tidal Water from the continuous centre Line of the Railway marked on the Plan deposited at the Office of the Board of Trade, even within the Limits of Deviation marked on that Plan, without the previous Consent of the Board of Trade, or otherwise than in such Manner as is expressly authorized by a such Consent. out Consent of Board of Trade.

If any Deviation is made in contravention of the present Section, the Board of Trade may abate and remove the Work in the Construction whereof such Deviation is made, or any Part thereof, and restore the Site thereof to its former Condition, at the Expense of the Company; and the Amount of such Expense shall be a Debt due from the Company to the Crown, and be recoverable accordingly with Costs, or the same may be recovered, with Costs, as a Penalty is recoverable from the Company.

17. If a Work constructed by the Company, in, over, through, or across Tidal Lands or a Tidal Water, or affecting the same or Access thereto, is abandoned, or suffered to fall into Decay, the Board of Trade may either repair and restore the Work, or any Part of it, or may abate and remove it, or any Part of it, and restore the Site thereof to its former Condition, in either Case at the Expense of the Company; and the Amount of such Expense shall be a Debt due from the Company to the Crown, and be recoverable accordingly, with Costs, or the same may be recovered, with Costs, as a Penalty is recoverable from the Company. Abatement of Work abandoned or decayed.

18. If at any Time the Board of Trade deems it expedient, for the Purposes of the Special Act or of this Part of this Act, to order a Survey and Examination of a Work of the Company in, over, through, or across Tidal Lands or Tidal Water, or affecting the same or Access thereto, or of the intended Site of any such Work, the Company shall defray the Expense of the Survey and Examination; and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly, with Costs, or the same may be recovered, with Costs, as a Penalty is recoverable from the Company. Survey of Works by Board of Trade.

Part II.

Extension of Time.

19. Where a Railway is authorized to be constructed by a Special Act passed either before or after the passing of this Act, and the Time limited by the Special Act for the Exercise of Powers of compulsory Purchase of Lands, or of Powers for Construction of the Railway and Works, is extended by a Special Act hereafter passed and incorporating this Part of this Act,—then and in every such Case the Parties aggrieved by Extension of Time may have Compensation for additional Damage.

the Justices, Arbitrators, Umpires, or Juries, as the Case may be, who award or assess the Compensation to be made by the Company to the Owners or Occupiers of, or other Persons interested in, Lands taken or used for the Purposes of the Railway and Works, or injuriously affected by the Construction thereof, shall, in estimating the Amount of such Compensation, have regard to, and assess Compensation for, the additional Damage (if any) sustained by those Owners, Occupiers, or other Persons, by reason of the Extension of Time.

Existing Contracts and Notices to take Lands not to be affected.

20. The Extension of Time shall not affect any Contract entered into or Notice given by the Company before the passing of the Special Act granting the Extension, for purchasing, taking, or using any Lands which the Company was entitled to purchase, take, or use; but every such Contract and Notice shall be construed and take effect, and the same Proceedings may be had thereunder, and all Parties thereto shall be entitled to the same Rights and Remedies in respect thereof, at Law and in Equity, as if the Extension had not been granted.

Part III.

Working Agreements.

Restrictions on Agreements between Companies.

21. Where a Company is authorized by a Special Act, passed either before or after the passing of this Act, to construct and maintain a Railway, and is authorized by a Special Act hereafter passed and incorporating this Part of this Act, to enter into an Agreement with another Railway Company with respect to all or any of the following Purposes; namely,—

The Maintenance and Management of the Railway of such first-mentioned Company, or any Part thereof, and of the Works connected therewith, or any of them;

The Use and Working of such Railway, or of any Part thereof, and Conveyance of the Traffic thereon;

The fixing, collecting, and Apportionment of the Tolls, Rates, and Charges or Revenues to be levied or taken in respect of such Traffic;—

then and in every such Case the Authority to enter into an Agreement, or the Agreement when entered into, shall not in any Manner affect any of the Tolls, Fares, Rates, or Charges which the Companies Parties thereto are from Time to Time respectively authorized to demand and receive from any Person or from any other Company; but all such Persons and Companies shall, notwithstanding the Agreement, be entitled to the Use and Benefit of the Railways of

of both Companies, Parties to the Agreement, on the same Terms and Conditions, and on Payment of the same Tolls, Fares, Rates, and Charges, as they would be if such Authority had not been given or the Agreement had not been entered into.

Sanction of Shareholders to Agreements.

22. The Agreement shall not, save so far as its Terms and Conditions are authorized by The Railways Clauses Consolidation Act, 1845, or by The Railways Clauses Consolidation (Scotland) Act, 1845, as the Case may require, or by any other General Statute or Law from Time to Time in force with respect to the Companies Parties to the Agreement, have any Operation unless and until it is sanctioned by not less than such Proportion of the Votes of the Shareholders and Stockholders entitled to vote in that Behalf at Meetings of each Company Party thereto, present (personally or by proxy) at a General Meeting of each Company specially convened for the Purpose (in manner herein-after mentioned), as is prescribed in the Special Act, and if no Proportion is prescribed, then by not less than *Three Fifths* of such Votes.

Every such Meeting shall be convened by Circular addressed to each such Shareholder and Stockholder, and served in the Manner prescribed by The Companies Clauses Consolidation Act, 1845, or The Companies Clauses Consolidation (Scotland) Act, 1845, as the Case may require, with respect to Notices requiring to be served by the Company upon the Shareholders, and also by Advertisement inserted once at least in each of *Two* consecutive Weeks in some Newspaper published or circulating in the County prescribed in the Special Act, and if no County is prescribed, then in the County in which the Head Office of the Company is situate, the last of such Advertisements to be published not less than *Seven* Days before such Meeting.

Public Notice of Intention to enter into such Agreement.

23. Before the Companies enter into the Agreement Notice of their Intention to do so shall be given by them or One of them, in a Form to be approved by the Board of Trade, inserted *once* at least in each of *Three* successive Weeks in some Newspaper published or circulating in the County prescribed in the Special Act, and if no County is prescribed, then in the County or One of the Counties in which the Railway to the Maintenance, Management, Use, or working wherof the proposed Agreement relates, or some Portion of that Railway, is situate; and the Notice shall set forth within what Time and in what Manner any Company or Person aggrieved by the proposed Agreement, and desiring to object thereto, may bring the Objection before the Board of Trade.

Approval of Board of Trade.

24. The Agreement shall not have any Operation until it is approved by the Board of Trade; and the Board of Trade shall not approve

approve the Agreement without being satisfied of its having received such Sanction of Meetings of the respective Companies as aforesaid.

Computation of Charges for Traffic.

25. During the Continuance of the Agreement, in computing Charges for Conveyance of Passengers, Animals, and Goods upon more than One of the Railways worked together under the Agreement, Distances shall be measured along the several Railways as if the same were One Railway; and One Short-Distance Charge only shall be made, and that according to the Rate authorized to be charged on the Railway of the Company by whom the Railways are worked together under the Agreement.

Joint Committee for Purposes of Agreements.

26. The Companies Parties to the Agreement may, in accordance therewith and for the Purposes thereof, appoint a Joint Committee, composed of such Number of the Directors of each Company as the Companies think proper, and from Time to Time may vary and renew the Joint Committee as Occasion requires, and may regulate the Proceedings of the Joint Committee, and may delegate to the Joint Committee all such of the Powers of the Companies as the Companies think necessary for carrying into effect the Purposes of the Agreement; and the Joint Committee shall have and may exercise the Powers so from Time to Time delegated to them in like Manner as the same Powers might be had and exercised by the Companies respectively or their respective Directors.

Agreements between Companies may be modified by Board of Trade.

27. At the Expiration of the first or any subsequent Period of *Ten Years* after the making of the Agreement, the Board of Trade may, if they are of opinion that the Interests of the Public are prejudicially affected thereby, cause the same to be revised; and the Board of Trade may require the Companies Parties thereto to publish such Notices of any intended Revision of the Agreement as the Board of Trade may direct; and the Board of Trade may modify the Agreement in such Manner as may seem expedient for the Protection of the Interests of the Public, and may declare the Modification to be Part of the Agreement, and the same shall be read and take effect accordingly.

Provided, that if any Modification directed by the Board of Trade is not, within *Three Months* after the same is directed, approved by such Proportion of the Votes of the Shareholders and Stockholders entitled to vote in that Behalf at Meetings of each Company Party thereto, present (personally or by proxy) at a General Meeting of each Company specially convened for the Purpose, as is prescribed in the Special Act, and if no Proportion is prescribed, then by *Three Fifths* of such Votes (every such Meeting being convened in

in manner herein-before provided with respect to Meetings for the original sanctioning of Agreements),—then and in every such Case the Modification directed shall not take effect, and at the Expiration of *Twelve Months* from the Time at which the Direction of the Board of Trade for the making of the Modification is given, the Agreement shall absolutely cease; but until the holding of any such Meeting or the Expiration of such *Twelve Months* (as the Case may be) the Agreement shall continue to operate as if the Modification had not been directed.

Working Agreements between a Company and an Individual.

28. Where the Authority conferred on the Company by the Special Act is an Authority to enter into an Agreement with a Person being the Proprietor of a Railway, then and in every such Case the Provisions of this Part of this Act shall apply, mutatis mutandis, to the Company in relation to such Authority and to the Agreement entered into by virtue thereof.

Alteration of Agreement.

29. For the Purposes of this Part of this Act, any Alteration of an Agreement by the Parties thereto shall be deemed an Agreement.

Part IV.

Steam Vessels.

Provision for securing Equality of Treatment.

30. Where a Railway Company incorporated either before or after the passing of this Act is authorized by a Special Act hereafter passed and incorporating this Part of this Act, to build, or buy, or hire, and to use, maintain, and work, or to enter into Arrangements for using, maintaining, or working Steam Vessels for the Purpose of carrying on a Communication between any Towns or Ports, and to take Tolls in respect of such Steam Vessels,—then and in every such Case Tolls shall be at all Times charged to all Persons equally, and after the same Rate in respect to Passengers conveyed in a like Vessel passing between the same Places under like Circumstances; and no Reduction or Advance in the Tolls shall be made in favour of or against any Person using the Steam Vessels in consequence of his having travelled or being about to travel on the whole or any Part of the Company's Railway, or not having travelled or not being about to travel on any Part thereof.

Application of Railway and Canal Traffic Act.

31. The Provisions of The Railway and Canal Traffic Act, 1854, so far as the same are applicable, shall extend to such Steam Vessels, and to the Traffic carried on thereby.

 32. The

Company empowered to make Byelaws for regulating Steam Vessels.

32. The Company may from Time to Time make Byelaws in relation to Passengers, Animals, and Goods conveyed in or upon the Steam Vessels, and as to the Embarkation and Disembarkation thereof respectively, and may enforce the Observance of the same by Penalties, in the same Manner as they may with respect to Passengers, Animals, and Goods conveyed upon their Railway; such Byelaws to be sanctioned and authenticated in the same Manner as is required by any Special or other Act with respect to Byelaws relating to the Company's Railway, and being published by being painted on Boards, or printed on Paper and pasted on Boards, and hung up or affixed and continued on some conspicuous Part of every Steam Vessel and Landing-place of the Company; and such Byelaws, and all Penalties in respect of the Breach thereof, shall be enforced and recovered in the same Manner as is provided with respect to Byelaws relating to the Company's Railway, and to Penalties in respect of the Breach thereof.

Recovery of Money by Distress.

33. All Tolls and Charges for the Steam Vessels due and payable to the Company on any Account whatsoever, and all Costs, Damages, and Expenses by the Special Act directed to be paid in respect of the Steam Vessels, may be levied by Distress; and in England or Ireland any Justice, and in Scotland the Sheriff, may, on Application by or on behalf of the Company, issue his Warrant accordingly.

Any Justice or Sheriff who issues any such Warrant of Distress may order that the Costs of the Proceedings for the Recoveryof such Toll or Sum shall be paid by the Person liable to pay such Toll or Sum, and such Costs shall be ascertained by the Justice or Sheriff, and shall be included in the Warrant of Distress for the Recovery of such Toll or Sum.

Several Names in One Warrant.

34. Any Number of Names and Sums may be included in any Warrant of Distress or Notice obtained or given by the Company for any of the Purposes of this Part of this Act or the Special Act with respect to Steam Vessels, and may be stated either in the Body of the Warrant or Notice, or in a Schedule thereto.

Provision for Cesser of Powers as to Steam Vessels, on Report from Board of Trade.

35. In every *Seventh* Year after the passing of the Special Act, reckoned from the *First Day of January* next after the passing of the Special Act, the Board of Trade, if they are of opinion that the Interests of the Public are prejudicially affected by the Exercise of the Powers of the Company relative to Steam Vessels, may give to the Company Notice in Writing thereof, and of the Reasons on which that Opinion

Opinion is founded, and if the Company does not before the Beginning of the then next Session of Parliament make Provision to the Satisfaction of the Board of Trade for Protection of the Interests of the Public, or if the Injury done to the Interests of the Public is in the Opinion of the Board of Trade incapable of being remedied by the Company, then the Board of Trade, at the Beginning of the Session of Parliament then next following, shall report to both Houses of Parliament such their Opinion, and the Reasons on which that Opinion is founded, and at the Expiration of *Twelve* Calendar Months after the Presentation to the Houses of Parliament of that Report, the Powers of the Company relative to Steam Vessels, or such of them as are specified in the Report, shall, unless Parliament in the meantime otherwise provides, cease to be exercised.

Part V.

Amalgamation.

Application of Part V.

36. This Part of this Act shall apply where Two or more Railway Companies, respectively incorporated either before or after the passing of this Act, are amalgamated by a Special Act hereafter passed and incorporating this Part of this Act.

Definition of Cases of Amalgamation.

37. For the Purposes of this Part of this Act, Companies shall be deemed amalgamated by a Special Act, in either of the following Cases:

(1.) Where by the Special Act Two or more Companies are dissolved, and the Members thereof respectively are united into and incorporated as a new Company:

(2.) Where by the Special Act a Company or Companies is or are dissolved, and the Undertaking or Undertakings of the dissolved Company or Companies is or are transferred to another existing Company, with or without a Change in the Name of that Company:

And in this Part of this Act, such Special Act is referred to as the amalgamating Act; the Company incorporated or continued by or under the amalgamating Act is referred to as the amalgamated Company; and the Time prescribed in the amalgamating Act for the Amalgamation taking effect, and if no Time is prescribed, then the Time of the passing of the amalgamating Act, is referred to as the Time of Amalgamation.

Undertakings of dissolved Companies vested in amalgamated Company.

38. In every Case of Amalgamation, the Undertaking, Railways, Harbours, Navigations, Ferries, Wharfs, Canals, Works, Real and Personal Property, Powers, Authorities, Privileges, Exemptions, Rights of Action and Suit, and all other the Rights and Interests of the dissolved Company, shall, subject to the Contracts, Obligations, Debts, and Liabilities of that Company, become at the Time of Amalgamation, and by virtue of the amalgamating Act, vested in the amalgamated Company, and may and shall be held, used, exercised, and enjoyed by the amalgamated Company in the same Manner and to the same Extent as the same respectively at the Time of Amalgamation are, or if the amalgamating Act were not passed might be, held, used, exercised, and enjoyed by the dissolved Company.

Acts relating to dissolved Companies to apply to amalgamated Company.

39. The Special Acts relating to or affecting the dissolved Company or the Undertaking thereof in force at the passing of the amalgamating Act, shall, except so far as they are thereby expressed to be varied or repealed, remain in full Force; and all Rights and Powers thereby conferred on and vested in the dissolved Company in relation to their Undertaking may be enjoyed and exercised by the amalgamated Company; and all Matters to be done, continued, or completed, or which but for the Amalgamation would, might, or could be done, continued, or completed, by the dissolved Company, or their Directors, Officers, or Servants, under or by virtue of those Acts, shall or may be done, continued, or completed by the amalgamated Company, and their Directors, Officers, and Servants, as the Case may be; and every Special Act so far as it relates to or affects the dissolved Company shall be read and construed as if the Name of the amalgamated Company had been used therein instead of that of the dissolved Company.

Saving Debts and Claims of dissolved Companies.

40. All Debts and Money due from or to the dissolved Company, or any Persons on their Behalf, shall be payable and paid by or to the amalgamated Company; and all Tolls, Rates, Duties, and Money due or payable by virtue of any Act relating to the dissolved Company from or to that Company shall be due and payable from or to the amalgamated Company, and shall be recoverable from or by the amalgamated Company by the same Ways and Means, and subject to the same Conditions, as the same would or might have been recoverable from or by the dissolved Company if the amalgamating Act had not been passed.

Saving Conveyances, Contracts, &c.

41. All Deeds, Conveyances, Grants, Assignments, Leases, Purchases, Sales, Mortgages, Bonds, Covenants, Agreements, Contracts, and Securities which before the Amalgamation have been executed, made,

made, or entered into by, with, to or in relation to the dissolved Company, or the Directors thereof, and which are in force at the Time of Amalgamation; and all Obligations and Liabilities which before the Amalgamation have been incurred by or to, or which but for the Amalgamation might or would have arisen in relation to, the dissolved Company or the Directors thereof, shall be as valid and of as full Force and Effect in favour of, against, or in relation to the amalgamated Company as if the same had been executed, made, or entered into by, with, or to, or in relation to, or had been incurred by or to or had arisen in relation to, the amalgamated Company by Name.

Causes and Rights of Action reserved.

42. All Causes and Rights of Action or Suit accrued before the Time of Amalgamation, and then in any Manner enforceable by, for, or against the dissolved Company shall be and remain as good, valid, and effectual for or against the amalgamated Company as they would or might have been for or against the dissolved Company affected thereby, if the amalgamating Act had not been passed.

Actions not to abate.

43. Nothing in the amalgamating Act or in this Part of this Act shall cause the Abatement, Discontinuance, or Determination of or in anywise prejudicially affect any Action, Suit, or other Proceeding at Law or in Equity commenced by or against the dissolved Company, either solely or jointly with any other Company or with any Person, before the Time of Amalgamation, and then pending; but the same may be continued, prosecuted, or enforced by or against the amalgamated Company, either solely or, as the Case may require, jointly with such other Company or with such Person; and all Persons committing Offences against any of the Provisions of any Special Act relating to the dissolved Company before the Amalgamation may be prosecuted, and all Penalties incurred by reason of such Offences may be sued for and recovered, in like Manner in all respects as if the amalgamating Act had not been passed,—the amalgamated Company being in respect of all such Matters considered as identical with the dissolved Company.

Saving Submissions and Awards relating to dissolved Companies.

44. No Submission to Arbitration of any Matter in dispute between the dissolved Company and any other Company or any Person, under which any Reference is pending and incomplete at the Time of Amalgamation, and no Award theretofore made and then remaining in force, shall be revoked or prejudicially affected by anything in the amalgamating Act or in this Part of this Act contained; but every such Submission and Award shall be as valid and effectual for or against the amalgamated Company as it would have been for or against the dissolved Company.

 45. All

Unexecuted Works of dissolved Companies may be completed.

45. All Works which the dissolved Company is at the Time of Amalgamation authorized or bound to execute and complete, and which are not then executed or completed, may or shall (as the Case may require) be executed or completed by the amalgamated Company, and for that Purpose the amalgamated Company shall have and be subject to all the Powers, Rights, and Conditions which were conferred or imposed upon the dissolved Company, and which but for the passing of the amalgamating Act might have been exercised by or enforced against the dissolved Company.

Contracts for Land entered into by dissolved Companies to be executed.

46. Where the dissolved Company has under any Special Act entered into any Contract for the Purchase of or taken or used any Lands, which at the Time of Amalgamation have not been effectually conveyed to the dissolved Company, or the Purchase Money in respect of which has not been duly paid by the dissolved Company, —then and in every such Case the Contract, if in force at the Time of Amalgamation, shall thereafter be completed by, and such Lands shall be conveyed to, the amalgamated Company, or as the amalgamated Company directs, and the Purchase Money shall be paid and applied pursuant to the Special Acts relating to the dissolved Company; and those Acts shall, in relation to the Completion of the Contract and the Purchase and Conveyance of the Lands, and the Payment and Application of the Purchase Money in respect thereof, be read and construed as if the amalgamated Company were the Company named in the Acts and Contract.

Application of Money paid into Bank or to Trustees.

47. Where any Money has, before the Time of Amalgamation, been paid by the dissolved Company, or is thereafter paid by the amalgamated Company under any Special Act relating to the dissolved Company, into the Bank of England, or into One of the incorporated or chartered Banks in Scotland, or into the Bank of Ireland, or to any Trustee or Trustees, on account of the Purchase of any Lands, or any Interest therein, or for any Compensation or Satisfaction, or on any other Account, such Money, or the Stocks, Funds, or Securities in or upon which the same then is or thereafter may be invested by Order of any Court, or otherwise, and the Interest, Dividends, and annual Produce thereof, shall be applied and disposed of pursuant to such Special Act; and that and every other Act shall, in relation to such Money, Stocks, Funds, or Securities, or the Interest, Dividends, or annual Produce thereof, be read and construed as if the amalgamated Company were the Company therein named with reference to the same Money, Stocks, Funds, Securities, Interest, Dividends, or annual Produce.

48. All

Officers of dissolved Companies to be accountable for Books, &c.

48. All Officers and Persons who, at the Time of Amalgamation, have in their Possession or under their Control any Books Documents, Papers, or Effects belonging to the dissolved Company, or to which the dissolved Company would but for such Dissolution have been entitled, shall be liable to account for and deliver up the same to the amalgamated Company, or to such Persons as the amalgamated Company may appoint to receive the same, in the same Manner, and subject to the same Consequences on Refusal or Neglect, as if such Officers and Persons had been appointed by and become possessed of such Books, Documents, Papers, or Effects for the amalgamated Company.

Officers of dissolved Companies to be Officers of amalgamated Company.

49. All Clerks, Officers, and Servants who at the Time of Amalgamation are in the Employment of the dissolved Company shall thereupon become Clerks, Officers, or Servants, as the Case may be, of the amalgamated Company, with the same Rights, and subject to the same Obligations and Incidents in respect of such Employment as they would have had or been subject to as the Clerks, Officers, or Servants of the dissolved Company, and shall so continue unless and until they respectively are duly removed from such Employment by the amalgamated Company, or until the Terms of their Employment are duly altered by the amalgamated Company.

Books, &c. to be Evidence.

50. All Books and Documents which would have been Evidence in respect of any Matter for or against the dissolved Company shall be admitted as Evidence in respect of the same or the like Matter for or against the amalgamated Company.

Resolutions of dissolved Companies to remain in force.

51. All Resolutions of any General Meeting or Board of Directors of the dissolved Company, or of any duly constituted and authorized Committee thereof, so far as the same are applicable and remain in force, shall, notwithstanding the Dissolution, continue to be operative, and shall apply to the amalgamated Company, and to the Directors, Officers, and Servants of the amalgamated Company, until duly revoked or altered by the amalgamated Company or under their Authority.

Payment of Calls.

52. All Calls made by the dissolved Company, and not paid at the Time of Amalgamation, shall be payable to and may be enforced by the amalgamated Company, as if such Calls had been made by the amalgamated Company.

Registers, Books, and Certificates relating to dissolved Companies to subsist until replaced.

53. All Registers of Shares, Stock, Mortgages, and Bonds of the dissolved Company, and all Registers of Transfers thereof respectively, and all Shareholders and Stockholders Address Books, and all Certificates of Shares or Stock of and in the dissolved Company, which are valid and subsisting at the Time of Amalgamation,

tion, shall continue to be valid and subsisting, and shall have the same Operation and Effect as before the Dissolution, unless and until new or altered Registers, Books, and Certificates respectively are substituted in their Stead; and all Transfers, Sales, or Dispositions of Stock or Shares made before the Dissolution and not then completed shall have the same Operation and Effect as if made after the Dissolution.

Byelaws to remain in force.

54. All the Byelaws, Rules, and Regulations of the dissolved Company relating to the Management, Use, or Control of their Undertaking shall, notwithstanding the Dissolution, continue to be in force and applicable to and in respect of the Undertaking, and shall and may be enforced by and available to the amalgamated Company in their own Name, as well for the Recovery of Penalties as for all other Purposes, as if the same respectively had been originally made by the amalgamated Company, until the Expiration of *Twelve Months* after the Time of Amalgamation, or until other Byelaws, Rules, and Regulations are duly made by the amalgamated Company in their Stead, whichever first happens.

General Saving of Rights and Claims.

55. Notwithstanding the Dissolution of the dissolved Company, and the Amalgamation, everything before the Time of Amalgamation done, suffered, and confirmed respectively, under or by virtue of any Special Act relating to the dissolved Company, shall be as valid as if the amalgamating Act had not been passed; and the Dissolution and Amalgamation, and the amalgamating Act, and this Part of this Act, respectively, shall accordingly be subject and without Prejudice to everything so done, suffered, and confirmed respectively, and to all Rights, Liabilities, Claims, and Demands, present or future, which if the Dissolution and Amalgamation had not taken place, and the amalgamating Act had not been passed, would be incident to or consequent on anything so done, suffered, and confirmed respectively; and with respect to all Things so done, suffered, and confirmed respectively, and to all such Rights, Liabilities, Claims, and Demands, the amalgamated Company shall to all Intents represent the dissolved Company; and the Generality of this present Provision shall not be deemed to be restricted by any other of the Provisions of this Part of this Act, or by any Provision of the amalgamating Act that does not expressly refer to this present Provision, and expressly restrict the Operation thereof.

Part VI.

Powers of Amalgamation, Sale, or Leasing.

Amalgamation, Sale, or Lease to be

56. Where by a Special Act hereafter passed and incorporating this Part of this Act a prospective Authority is given for the Union by

by way of Amalgamation, Sale, or Lease, or by any Two or by any One of those Modes, of the Undertaking of one Railway Company with that of another Railway Company, such Companies respectively being incorporated either before or after the passing of this Act,—then and in every such Case the Undertaking authorized to be amalgamated, sold, or leased, may with the Sanction of such Proportion of the Votes of the Shareholders and Stockholders entitled to vote in that Behalf at Meetings of the Company Proprietors of that Undertaking, present (personally or by proxy) at a General Meeting specially convened for the Purpose, as is prescribed in the Special Act, and if no Proportion is prescribed, then of *Three Fourths* of such Votes, be at any Time after the passing of the Special Act transferred to and vested in the other Company by Amalgamation, Sale, or Lease, (according as the Authority given by the Special Act extends to Amalgamation, Sale, or Leasing, or to any Two or any One of those Modes of Union,) for such Price, or Consideration, or Rent, and upon such Terms and Conditions, as may be agreed upon between the Companies, subject nevertheless to the Provisions of this Part of this Act. effected with certain Consents.

In this Part of this Act, any Undertaking so amalgamated is referred to as the Undertaking amalgamated, and the Company Proprietors thereof as the amalgamating Company; and any Undertaking so sold is referred to as the Undertaking sold, and the Company Proprietors thereof as the selling Company; and any Undertaking so leased is referred to as the Undertaking leased, and the Company Proprietors thereof as the leasing Company; and the Company with whose Undertaking any Undertaking is so amalgamated, or to which any Undertaking is so sold or leased, is referred to as the principal Company. Interpretation.

57. The Amalgamation, Sale, or Lease (as the Case may be) shall not have any Effect unless and until it has been approved of by the Board of Trade. Approval of Board of Trade.

58. In case of Amalgamation, the Amount of Capital created by the Amalgamation shall not exceed the Sum of the Capitals of the principal Company and of the amalgamating Company; and in case of Sale, no Addition shall be made to the Capital of the principal Company, for the Purposes of the Purchase, beyond the Amount of the Capital of the selling Company; but nothing herein shall prevent the principal Company from raising, by the Creation of new Shares or new Stock, such Sums as the amalgamating or selling Company had Power to raise by Shares or Stock and had not raised. Capital of amalgamating or selling Company not to be increased.

59. The Amalgamation, Sale, or Lease (as the Case may be) shall be effected by Deed duly stamped for denoting Payment of the proper Amalgamation, &c. to be by

Deed, and Copies to be deposited with Clerks of the Peace.

Stamp Duty payable in respect thereof, and fully setting forth the Price or Consideration, Rent, and other Terms, Covenants, and Conditions agreed to or settled between the Companies Parties thereto. Such Deed, or One Part thereof, shall be deposited at the Head Office of the principal Company; and a written or printed Copy thereof, certified under the Hand of the Secretary of the principal Company to be a correct Copy, shall be deposited with the Clerk of the Peace or Sheriff Clerk of every County in which the Undertaking amalgamated, sold, or leased, or any Portion thereof, is situate; and every such Clerk of the Peace or Sheriff Clerk shall receive and retain the Copy deposited with him, and shall permit all Persons interested to inspect the same and make Extracts or Copies therefrom in the like Manner and upon the like Terms and under the like Penalty for Default as is provided in the Case of certain Plans and Sections by the Act of the Session of the Seventh Year of King William the Fourth and the First Year of Her Majesty (Chapter Eighty-three), "to compel Clerks of the "Peace for Counties and other Persons to take the Custody of such "Documents as shall be directed to be deposited with them under the "Standing Orders of either House of Parliament."

7 Will. 4. & 1 Vict. c. 83.

Amalgamation, &c. not to take effect till after Publication of certain Notices.

60. The Amalgamation, Sale, or Lease (as the Case may be) shall not have any Effect until the principal Company has published in the London, Edinburgh, or Dublin Gazette, according as the Undertaking of the principal Company is situate in England, Scotland, or Ireland, and for *Three* consecutive Weeks in a Newspaper published in London, Edinburgh, or Dublin, according as aforesaid, and in a Newspaper published or circulating in the County prescribed in the Special Act, and if no County is prescribed, then in the County where the Head Office of the amalgamating, selling, or leasing Company is situate, a Notice stating that the Amalgamation, Sale, or Lease (as the Case may be) has been agreed upon or settled between the principal Company and the amalgamating, selling, or leasing Company, and has been approved of by the Board of Trade, and will take effect on and from a Day specified in the Notice.

The Provisions of this Part of this Act having been complied with, the Amalgamation, Sale, or Lease shall take effect on and from the Day so specified, which Day is in the following Provisions of this Part of this Act referred to as the Commencement of the Amalgamation, Sale, or Lease.

Undertaking to form Part of principal Company's Undertaking, and Acts to apply to

61. From the Commencement of the Amalgamation, Sale, or Lease, but in the Case of a Lease only during the Continuance of the Lease, the Undertaking amalgamated, sold, or leased shall form Part of the Undertaking of the principal Company; and all the Provisions of the Special Acts relating to the Undertaking amalgamated, sold,

sold, or leased, except such Provisions as have reference to the Incorporation and Constitution of the amalgamating, selling, or leasing Company, and to the Share Capital, Meetings, Shareholders, and Directors of that Company, shall apply to the principal Company, in like Manner in all respects as but for such Amalgamation, Sale, or Lease the same would have applied to the amalgamating, selling, or leasing Company, and those Special Acts shall be read and construed accordingly. that Company.

62. In case of Amalgamation, all Preference or Guaranteed Shares or Stock of the amalgamating Company shall become Preference or Guaranteed Shares or Stock of the principal Company, and shall retain the same Priority of Charge with respect to the Undertaking amalgamated, and the same Priorities inter se, as before the Amalgamation; and all Ordinary Shares or Stock of the amalgamated Company shall become Shares or Stock of the principal Company, upon such Terms and Conditions, and with such ordinary, fixed, fluctuating, guaranteed, preferential, or contingent Dividend, as may be agreed upon between the principal Company and the amalgamating Company; or the principal Company may create new Shares or Stock in substitution for the Ordinary Shares or Stock of the amalgamating Company, upon such Terms and Conditions, and with such preferential Dividend and other Advantages, as may be agreed upon between the amalgamating Company and the principal Company; but every such Agreement between the Companies respecting the Ordinary Shares or Stock of the amalgamating Company, or the Creation of new Shares or Stock, shall take effect only subject and according to the Provisions and Restrictions with respect to the Creation of new Shares or Stock contained in Part II. of The Companies Clauses Act, 1863. Shares of amalgamating Company.

63. With respect to Shares of the amalgamating Company not fully paid up at the Commencement of the Amalgamation, the principal Company shall have all the Powers of the amalgamating Company for making Calls thereon, and for enforcing Payment of Calls in arrear, whether such Calls were made by the amalgamating Company or by the principal Company, and for causing Shares to be forfeited for Non-payment of Calls, and for dealing with such Shares after Forfeiture or in lieu of Forfeiture, as the amalgamating Company would have had if the Undertaking had not been amalgamated; and all the Provisions of the Special Acts relating to the amalgamating Company applicable to such Matters shall apply to the principal Company in like Manner as before the Amalgamation they applied to the amalgamating Company, or afterwards would have applied to the amalgamating Company if the Amalgamation had not taken place. Shares of amalgamating Company not paid up.

 64. Subject

Power for principal Company to raise Capital which amalgamating, &c. Company had Power to raise, but had not raised.

64. Subject and according to the Restrictions and Provisions aforesaid with respect to the Creation of new Shares or Stock, the principal Company may raise by the Creation of new Shares or new Stock all such Sums of Money as the amalgamating, selling, or leasing Company had Power to raise by the Creation of Shares or Stock, but for which no Shares or Stock had been created and issued, or having been created and issued had been subsequently duly surrendered or cancelled, and all such Sums of Money as may be required by the principal Company as the Price or Consideration for the Purchase of the Undertaking sold.

Dissolution of selling Company.

65. In case of Sale, the selling Company shall on and from the Commencement of the Sale be dissolved, except for the Purpose of receiving any Money due to them and winding up their Affairs.

Winding up.

In order to wind up their Affairs the selling Company may sell and convey or otherwise dispose of all such Parts (if any) of their Lands, Property, and Effects as are not by the Terms of the Sale vested in the principal Company; and subject to the Payment, Satisfaction, or Discharge of all the Debts, Liabilities, and Engagements (if any) of the selling Company, not paid, satisfied, or discharged by the principal Company, the selling Company shall distribute and pay their net Money to and among the several Persons who at the Time of the Sale are the registered Shareholders of the selling Company, in proportion to their respective Shares of the Capital of the selling Company, or their respective Executors, Administrators, Successors, or Assigns.

Where Parties entitled unknown.

Provided, that where the selling Company is, for *Twelve* Months after the Period for the Distribution of their net Money, unable after diligent Inquiry to ascertain the Person to whom any Part thereof ought to be paid, they may pay the same in England or Ireland into the Court of Chancery under any Act for the Time being in force for the Relief of Trustees, and in Scotland into the Court of Session; and every such Payment into Court shall conclusively discharge the selling Company from all further Liability with respect to the net Monies so paid, and for the Purposes of this Act shall be deemed Payment thereof to a Person absolutely entitled thereto; and any Person afterwards showing to the Satisfaction of the Court, according to the Course of Practice of the Court, that he is entitled thereto may obtain Payment thereof out of Court accordingly.

Complete Dissolution.

When all the Debts and Liabilities of the selling Company are paid, satisfied, or discharged, and their net Money is distributed in accordance with this Part of this Act and their Affairs are wound up, the selling Company shall be wholly dissolved and cease to exist.

66. Not-

Conveyances, &c. to remain.

66. Notwithstanding the Amalgamation, Sale, and Dissolution, or Lease, all Conveyances, Leases, Deeds, Appointments, Awards, Contracts, Agreements, Mortgages, Bonds, Covenants, Securities, and other Instruments made or entered into with respect to the Undertaking amalgamated, sold, or leased, before the Commencement of the Amalgamation, Sale, or Lease, to, with, by, or on behalf of the amalgamating, selling, or leasing Company, or any Person on their Behalf respectively, shall be and remain valid and effectual for, against, and with respect to the principal Company, and may be proceeded on and enforced accordingly.

Debts, &c. of amalgamating Company to be recoverable by or against the principal Company, &c.

67. All Debts owing by or to the amalgamating Company at the Time of the Amalgamation, shall be recoverable against or by the principal Company after the Amalgamation as if the Amalgamation had not taken place, and as if the principal Company were the same as the amalgamating Company; and all Liabilities of the amalgamating Company before the Amalgamation shall in like Manner, after the Amalgamation, become Liabilities of the principal Company; and all Penalties incurred under any Act relating to any amalgamated Company shall, after and notwithstanding the Amalgamation, be recoverable in like Manner as if the Amalgamation had not taken place,—the principal Company being in reference to any such Penalties considered as identical with the amalgamating Company.

Actions not to abate, &c.

68. Notwithstanding the Amalgamation, Sale, and Dissolution, or Lease, any Action, Suit, Prosecution, or other Proceeding, commenced either by or against the amalgamating, selling, or leasing Company, with respect to the Undertaking amalgamated, sold, or leased, before the Commencement of Amalgamation, Sale, or Lease, shall not abate or be discontinued or prejudicially affected thereby, or by anything in the Special Act or in this Part of this Act contained, but on the contrary shall continue and take effect both in favour of and against the principal Company in like Manner, to all Intents, as if the Special Act or this Part of this Act were not passed, or the Amalgamation, Sale, or Lease were not made, save only that the principal Company shall be substituted therein for the amalgamating, selling, or leasing Company.

Deposited Plans, &c. to remain with Clerks of Peace.

69. Notwithstanding the Amalgamation, Sale, and Dissolution, or Lease, all Plans, Sections, and Books of Reference, and all Corrections and Certificates of Correction thereof, respectively deposited, for the Purposes of any Act relating to the amalgamating, selling, or leasing Company, with any Clerk of the Peace, or Sheriff Clerk, shall remain in his Custody as if they were deposited for the Purposes of an Act relating to the principal Company, and according to the

Provisions of the said Act of the Session of the Seventh Year of King William the Fourth and the First Year of Her Majesty (Chapter Eighty-three); and every such Clerk of the Peace and Sheriff Clerk shall accordingly permit the same to be inspected, and Copies thereof and Extracts therefrom to be taken.

Money paid into Bank, &c. to be applied under Acts relating to amalgamating, &c. Company.

70. Notwithstanding the Amalgamation, Sale, and Dissolution, or Lease, in every Case in which under any Act relating to the amalgamating, selling, or leasing Company, any Money was, before the Commencement of the Amalgamation, Sale, or Lease, paid by the amalgamating, selling, or leasing Company into the Bank of England, or into any One of the incorporated or chartered Banks in Scotland, or into the Bank of Ireland, or to any Trustee or Trustees, as Purchase or Compensation Money, or on any Account, the Money or the Stocks, Funds, or Securities in or upon which the same may be from Time to Time by Order of any Court or otherwise invested, and the Interest, Dividends, and annual Produce thereof shall, after the Transfer, be applied and disposed of pursuant to such last-mentioned Act: Provided, that the Obligations under any such Act of the amalgamating, selling, or leasing Company with respect to such Money, Stocks, Funds, and Securities, shall after the Commencement of the Amalgamation, Sale, or Lease, be performed and observed by the principal Company.

Books, &c. continued Evidence.

71. Notwithstanding the Amalgamation, Sale, and Dissolution, or Lease, all Documents, Books, and Writings by any Act relating to the amalgamating, selling, or leasing Company directed or authorized to be kept, and which, if the Amalgamation, Sale, or Lease had not happened would be receivable in Evidence, shall be admitted as Evidence in all Courts of Law and Equity and elsewhere accordingly.

General Saving of Rights under Acts of amalgamating, &c. Companies.

72. Notwithstanding the Amalgamation, Sale, and Dissolution, or Lease, and except only as is by this Part of this Act or by the Special Act otherwise expressly provided, everything before the Commencement of the Amalgamation, Sale, or Lease done, suffered, and confirmed respectively under or by any Special Act relating to the amalgamating, selling, or leasing Company shall be as valid as if the Amalgamation, Sale, and Dissolution, or Lease, had not happened; and the Amalgamation, Sale, and Dissolution, or Lease, and the Special Act and this Part of this Act respectively, shall accordingly be subject and without Prejudice to everything so done, suffered, and confirmed respectively, and to all Rights, Liabilities, Claims, and Demands, present or future, which if the Amalgamation, Sale, and Dissolution, or Lease, had not happened would be incident to or consequent on anything so done, suffered,

suffered, and confirmed respectively; and with respect to all such Things so done, suffered, and confirmed respectively, and to all such Rights, Liabilities, Claims, and Demands, the principal Company shall to all Intents represent the amalgamating, selling, or leasing Company; and the Generality of this present Provision shall not be deemed to be restricted by any other of the Provisions of this Part of this Act, or by any Provision of the Special Act that does not expressly refer to this present Provision, and expressly restrict the Operation thereof.

Powers for Sale or leasing of Part of Undertaking.

73. The Provisions of this Part of this Act, so far as they relate to Powers of Sale or leasing, shall apply, mutatis mutandis, in any Case where prospective Powers of Sale or leasing are given in manner aforesaid in respect of Part of an Undertaking.

Part VII.

Abandonment of a Railway.

Release of Company from Liability in respect of Railway abandoned.

74. Where a Railway Company, incorporated either before or after the passing of this Act, is authorized by a Special Act hereafter passed and incorporating this Part of this Act, to abandon a Railway authorized by a previous Special Act to be constructed, they shall (subject to the Provisions of this Part of this Act) be released from all Liability to make, maintain, or work the Railway authorized to be abandoned, or to purchase any Lands for the making thereof, or (except as herein-after mentioned) to complete the Purchase of any Lands for the making thereof for the Purchase of which Notice has been given or a Contract entered into by or on behalf of the Company before the passing of the Special Act, or to complete any Contract for or concerning the making, maintaining, or working of the Railway authorized to be abandoned, or any other Contract relating thereto, which by reason of the Abandonment cannot be performed:

But nothing in the present Section or in the Special Act shall be deemed to release the Company from Liability to complete the Purchase of any Lands for the Purchase whereof a Contract has been entered into by or on behalf of the Company before the passing of the Special Act, in either of the following Cases, namely,—where such Contract has then already been in part performed, or where a specified Sum or Price has then already been fixed or ascertained by virtue or in pursuance of the Contract as the Consideration for the Lands agreed to be sold to or taken by the Company, notwithstanding that the Time for the Completion of the Purchase appointed in such Contract has been subsequently extended by Agreement or Arrangement with the Company.

 75. Where

Compensation to be made where Contracts have been entered into or Notice given.

75. Where before the passing of the Special Act a Notice or Contract has been given or entered into by or on behalf of the Company for purchasing any Lands which they were by the previous Special Act empowered to purchase for the Purpose of constructing the Railway, and the Company would under this Part of this Act be relieved from the Effect of such Notice or from such Contract,—or where a Contract has been entered into concerning the constructing, maintaining, or working of the Railway, or any other Contract relating thereto, which by reason of the Abandonment cannot be performed,—then and in every such Case the Company shall make to the Owners or Occupiers of and other Parties interested in such Lands, or being respectively Parties to such Contracts, Compensation, to be determined by Arbitration, for any Damage sustained by them by reason of such Purchase or Contract not being completed or performed.

Compensation to adjoining Landowners in lieu of Accommodation Works.

76. Where the Railway has been wholly or partially made, the Company shall make to the Owners, Lessees, and Occupiers of Lands Compensation, to be determined by Arbitration, for any Damage sustained by them by reason of the Omission to make such Gates, Passages, Drains, Watercourses, Bridges, and other Works for the Accommodation of Lands as the Company would have been required to make if the Railway had not been authorized to be abandoned.

Provision as to Roads crossed by Railway abandoned.

77. Where the Railway has been wholly or partially made, and a Road has been carried across it by means of a Bridge over or an Arch under it, and the Company would, in case the Railway were not abandoned, be liable to keep in repair the Bridge or Arch,—then and in every such Case, either the Company shall, with the Permission of the Board of Trade, remove the Bridge or Arch and restore the Road to a State as convenient as may be, to the Satisfaction (in case of Difference between the Company and the Owner or Persons having the Management of the Road) of an Engineer to be appointed by the Board of Trade, or else the Company shall pay to the Owner of the Road (if a private Road), or to the Trustees, Surveyors, or other Persons having the Management of the Road (if a Turnpike or other public Road), a Sum of Money, to be determined in case of Difference by Arbitration, in lieu and discharge of their Liability to keep in repair the Bridge or Arch.

Every Sum so paid to Trustees, Surveyors, or other Persons having the Management of a Road shall be disposed of as follows:

In England or Ireland the same shall be forthwith paid over by those Trustees, Surveyors, or other Persons to the Treasurer of the County where the Bridge or Arch in respect whereof the same is paid is situate, and shall be by him invested in Consolidated Bank Annuities or other Public Securities; and the Dividends or Income

Income thereof shall, until Parliament otherwise provides, be applied in the Maintenance of the Bridge or Arch in such Manner as in England the Justices of the Peace in General or Quarter Sessions assembled, and in Ireland the Grand Jury, having Jurisdiction where the Bridge or Arch is situate, from Time to Time order:

In Scotland the aforesaid Sum shall be forthwith paid by the Trustees, Surveyors, or other Persons aforesaid into One of the incorporated or chartered Banks; and the Interest to arise thereon shall, until Parliament otherwise provides, be applied in the Maintenance of the Bridge or Arch in respect whereof the same is paid, in such Manner as the Sheriff of the County where the Bridge or Arch is situate, in case of any Difficulty arising, from Time to Time directs.

Process of Arbitration.

78. Everything in this Part of this Act directed to be determined by Arbitration shall be determined by Arbitration in manner provided by the said Railways Clauses Consolidation Acts, respectively.

Limitation of Time for Claim of Compensation.

79. Notwithstanding anything in this Part of this Act or in the Special Act, the Company shall not be liable to make Compensation in respect of Damage alleged to have been sustained by reason of the of the Railway Abandonment or the Non-completion of any Contract, in any of the Cases aforesaid, unless the Claim for Compensation is made within *Six Months* after the passing of the Special Act authorizing the Abandonment of the Railway.

Company to be still liable for Damage occasioned by their Entry on Lands for taking Levels, &c.

80. Nothing in this Part of this Act or in the Special Act shall affect the Right of the Owner, Lessee, or Occupier of any Lands to Compensation from the Company for any Damage occasioned by their Entry thereon for the Purpose of surveying or taking Levels, or of probing or boring to ascertain the Nature of or the Soil, of setting out the Line of the Railway, pursuant to the Provisions of the said Lands Clauses Consolidation Acts, respectively.

Lands purchased by the Company to be sold within a limited Time.

81. All Lands acquired by the Company for the Purposes of the Railway shall be sold by the Company within the Time prescribed in the Special Act, and if no Time is prescribed, then within *Two Years* from the passing of the Special Act, and in every Case in the Manner prescribed by the Provisions of the said Lands Clauses Consolidation Acts, respectively, with respect to the Lands acquired by the Promoters of the Undertaking under the Provisions of their Special Act, but which are not required for the Purposes thereof, which Provisions shall be deemed to be incorporated with the Special Act authorizing the Abandonment of the Railway: Provided, that the

the Offer to be made by the Company pursuant to those Provisions to sell the Lands to the Person entitled to the Lands from which the same were severed shall be made at a Price not greater than the Price at which the Lands were purchased by the Company.

Abandonment of Part of a Railway.

82. This Part of this Act shall apply, mutatis mutandis, in any Case where the Company is authorized in manner aforesaid to abandon Part of a Railway.

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For consolidating in One Act certain Provisions frequently inserted in Acts relating to Railways.

(*Prepared and brought in by Mr. Milner Gibson and Mr. Hutt.*)

Ordered, by The House of Commons, *to be Printed,* 3 *July* 1863.

[Bill 208.]

Under 4 *oz.*

Railways Clauses.

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BILL

[AS AMENDED IN COMMITTEE]

FOR

Consolidating in One Act certain Provisions frequently inserted in Acts relating to Railways.

WHEREAS The Railways Clauses Consolidation Act, 1845, and The Railways Clauses Consolidation (Scotland) Act, 1845, respectively, were passed in order to comprise in One General Act such Provisions relating to Railways in England or Ireland, or in Scotland, respectively, as were at the Times of the passing of those Acts usually introduced into Acts of Parliament authorizing the Construction of Railways: Preamble.

And whereas sundry Provisions of the like Nature, but not comprised in the said General Acts respectively, are now frequently introduced into Acts of Parliament relating to Railways, and it is expedient to comprise such last-mentioned Provisions also in One General Act, such Act to be applicable to England or Ireland, or to Scotland, as the Case may require, and that as well for the Purpose of avoiding the Necessity of repeating such Provisions in Special Acts relating to Railways, as for ensuring greater Uniformity in the Provisions themselves:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This

Short Title.

1. This Act may be cited as The Railways Clauses Act, 1863.

Division of Act into Parts.

2. This Act shall be deemed to be divided into Seven Parts, as follows:

Part I. relating to Construction of a Railway;
Part II. relating to Extension of Time;
Part III. relating to Working Agreements;
Part IV. relating to Steam Vessels;
Part V. relating to Amalgamation;
Part VI. relating to Abandonment of a Railway.

Part I.

Construction of a Railway.

Application of Part I. and Interpretation.

3. This Part of this Act shall apply to the Railway authorized to be constructed by any Special Act hereafter passed and incorporating this Part of this Act.

In this Part of this Act—

All Terms used have the same Meanings as the same Terms have when used in The Railways Clauses Consolidation Act, 1845, and The Railways Clauses Consolidation (Scotland) Act, 1845, respectively:

The Term "Tidal River" means any Part of a River within the Flow and Ebb of the Tide at ordinary Spring Tides:

The Term "Tidal Water" means any Part of the Sea or any Part of a River within the Flow and Ebb of the Tide at ordinary Spring Tides:

The Term "Tidal Lands" means such Parts of the Bed, Shore, or Banks of a Tidal Water as are covered and uncovered by the Flow and Ebb of the Tide at ordinary Spring Tides.

The Provisions respecting the Recovery of Penalties contained in the said Railways Clauses Consolidation Acts respectively, as the Case may require, shall be incorporated with this Part of this Act.

Alteration of Engineering Works.

Power to alter Engineering Works.

4. Notwithstanding anything in the said Railways Clauses Consolidation Acts, respectively, contained,—the Company, in the Construction of the Railway, may deviate from the Line or Level of any Arch, Tunnel, or Viaduct, described on the deposited Plans or Sections, so as the Deviation be made within the Limits of Deviation shown on those Plans, and subject to the Limitations contained in Sections Eleven, Twelve, and Fifteen of those Acts respectively, and

and so as the Nature of the Work described be not altered,—and may also substitute any Engineering Work not shown on the deposited Plans or Sections, for an Arch, Tunnel, or Viaduct, as shown thereon; provided that every such Substitution be authorized by a Certificate of the Board of Trade; and the Board of Trade may grant such Certificate in case it appears to them, on due Inquiry, that the Company has acted in the Matter with good Faith, and that the Owners, Lessees, and Occupiers of the Lands in which the Substitution is intended to be made consent thereto, and also that the Safety and Convenience of the Public will not be diminished thereby.

Provided, that nothing in the present Section shall affect any Power given to the Company or to the Board of Trade by Section Eleven, Twelve, Fourteen, or Fifteen of the last-mentioned Acts respectively.

Level Crossings.

Trains not to be shunted over level Crossing.

5. Where the Company is authorized by the Special Act to carry the Railway across a Turnpike Road or Public Carriageroad on a Level, it shall not be lawful for the Company in shunting Trains to pass any Train over the level Crossing, or at any Time to allow any Train, Engine, Carriage or Truck to stand across the same.

Company to erect Lodge at Point of Crossing.

6. For the greater Convenience and Security of the Public, the Company shall erect and permanently maintain a Lodge at the Point where the Railway crosses on the Level the Turnpike Road or Public Carriageroad; and the Company shall be subject to and shall abide by all such Regulations with regard to the crossing thereof on the Level, or with regard to the Speed at which Trains may pass the level Crossing, as may from Time to Time be made by the Board of Trade.

If the Company fails to erect, or to maintain, such Lodge, or to appoint or keep a proper Person to watch or superintend the level Crossing, or to observe or abide by any such Regulation as aforesaid, they shall for every such Offence be liable to a Penalty not exceeding Twenty Pounds, and also to a Penalty not exceeding Ten Pounds for every Day during which the Offence continues after the Penalty of Twenty Pounds is adjudged.

Board of Trade may require Bridge instead of level Crossing.

7. The Board of Trade may, if it appears to them necessary for the Public Safety, at any Time after the passing of the Special Act, require the Company, within such Time as the Board of Trade directs, and at the Expense of the Company, to carry the Turnpike Road or public Carriageroad either under or over the Railway by means of a Bridge or Arch, instead of crossing the same on a Level, or to execute such other Works as, under the Circumstances of the Case,

may appear to the Board of Trade best adapted for removing or diminishing the Danger arising from the level Crossing.

Where the Road is so carried either under or over the Railway, it shall not be necessary for the Company to erect or maintain a Lodge at the Point where the Road is crossed, or to appoint a Person to watch or superintend the Crossing thereat, nor shall they be liable to any Penalty for Failure so to do.

Power for Company to take additional Land for such Work.

8. If the Board of Trade certifies that the Public Safety requires that additional Lands be taken by the Company for the Purpose of the Work directed by the Board of Trade to be executed, the Company may, subject to the Provisions of The Lands Clauses Consolidation Act, 1845, or The Lands Clauses Consolidation (Scotland) Act, 1845, as the Case may require, enter upon, take, and use, all or any Part of the Lands specified in the Certificate of the Board of Trade as being necessary for the Purpose of the Work; and the Board of Trade before issuing the Certificate shall cause such Notice as they deem reasonable to be given to any Person who may appear to them to be entitled to claim under the last-mentioned Acts, or otherwise, Compensation in respect of the taking of such Lands or in respect of such Work.

Junctions.

Communications with other Railways to be made under the Direction of the Engineer of those Railways.

9. Where the Company is authorized by the Special Act to make a Junction between the Railway and any other Railway, then and in every such Case all Interferences with the Works of the other Railway, necessary or convenient for effecting the Junction, shall be made under the Superintendence and to the reasonable Satisfaction of the Engineer for the Time being of the Company or Person to whom the other Railway belongs; and in case of any Difference arising as to the Mode of effecting the Junction, the same shall be determined by a Referee to be appointed by the Board of Trade, on the Application of either Party, at the Cost of the Company making the Junction.

Company to acquire only Easements in Land of other Railway Company.

10. With respect to any Lands belonging to the Company or Person to whom the other Railway belongs, which the Company are by the Special Act authorized to use, enter upon, or interfere with, for the Purposes of the Junction, the Company shall not purchase and take the same, but the Company may purchase and take, and such other Railway Company or Person may and shall sell and grant accordingly, an Easement or Right of using the same for the Purposes of the Junction.

11. Nothing

11. Nothing relative to the Junction in this Act or the Special Act contained shall be deemed to authorize the Company for the Purposes of the Junction to take or enter upon any Lands belonging to the Company or Person to whom the other Railway belongs, or to alter or interfere with any Railway, or any of the Works thereof, further or otherwise than is necessary for making the Junction and Inter-communication between the Railways, as shown on the deposited Plans and Sections of the Railway to which the Special Act relates, without the previous Consent in Writing in every Instance of such other Railway Company or such Person. Not to take Lands or interfere with Works of other Company further than necessary.

12. The Company or Person with whose Railway the Junction is made may from Time to Time erect such Signals and Conveniences incident to the Junction, either on their or his own Lands or on the Lands of the Company making the Junction, and may from Time to Time appoint and remove such Watchmen, Switchmen, or other Persons as may be necessary for the Prevention of Danger to, or Interference with, the Traffic at and near the Junction. The working and Management of such Signals and Conveniences, wherever situate, shall be under the exclusive Regulation of the Company or Person with whose Railway the Junction is made; and all the Expenses of erecting and maintaining those Signals and Conveniences, and of employing those Watchmen, Switchmen, and other Persons, and all incidental current Expenses, shall, at the End of every Half Year, be repaid by the Company making the Junction, and in default thereof may be recovered from them in any Court of competent Jurisdiction. As to Expense of Signals, Watchmen, &c.

Protection of Navigation.

13. Where the Company is authorized by the Special Act to construct, alter, or extend any Work on, in, over, through, or across Tidal Lands or a Tidal Water, the Company shall, on or near the Work, during the whole Time of the constructing, altering, or extending thereof, exhibit and keep burning at their own Expense, every Night from Sunset to Sunrise, such Lights (if any) as the Board of Trade from Time to Time requires or approves; and (notwithstanding the Enactments for the Time being in force respecting Lighthouses) shall also on or near the Work, when completed, always maintain, exhibit, and keep burning, at their own Expense, every Night from Sunset to Sunrise, such Lights (if any) for the Guidance of Ships as the Board of Trade from Time to Time requires or approves. Lights on Works.

If the Company fails to comply in any respect with the Provisions of the present Section, they shall for each Night in which they so fail be liable to a Penalty not exceeding Twenty Pounds.

Construction of Bridges.

14. Where the Company is authorized or required by the Special Act to construct a Bridge over a navigable Tidal Water, and the Special Act does not make express Provision respecting the Span or Spans thereof, then the Company shall construct the same with a Span or Spans of such Headway and Waterway, and with such opening Span or Spans (if any), and according to such Plan, as the Board of Trade directs or approves.

User of Bridges.

15. Where the Company constructs a Bridge with an opening Span, it shall not be lawful for the Company to detain any Vessel, Barge, or Boat at the Bridge for a longer Time than may be necessary for admitting a Carriage or Engine traversing the Railway and approaching the Bridge to cross the Bridge, and for opening the Bridge to admit the Vessel, Barge, or Boat to pass; and the Company shall be subject to and shall abide by such Regulations with regard to the User of the Bridge as may from Time to Time be made by the Board of Trade.

If the Company detains a Vessel, Barge, or Boat longer than the Time aforesaid, or fails in any respect to abide by any such Regulation as aforesaid, they shall for every such Offence be liable to a Penalty not exceeding Twenty Pounds, without Prejudice to any Remedy against them for any Loss or Damage sustained by any Person.

Access to the Shore under or across the Railway.

16. Where the Railway cuts off Access between the Land and a Tidal Water or Tidal Lands, then and in every such Case the Company shall, during the Construction of the Railway, and from Time to Time thereafter, make, and shall permanently maintain, and allow to be used by all Persons, at all Times, free of Toll or other Charge, all such Footways and Carriageways over, under, or across the Railway, or on a Level therewith, as the Board of Trade from Time to Time directs or approves: Provided always, as follows:

(1.) The Company shall not be obliged to make a Footway or Carriageway over Lands for the Use of an Owner or Occupier who has agreed to receive and has been paid Compensation for the Severance thereof from the Tidal Water or Tidal Lands:

(2.) The Company shall not be obliged to make a Footway or Carriageway in such Manner as would interfere with the working or using of the Railway:

(3.) The Expense of the making and Maintenance of a Footway or Carriageway required to be made after the Construction of the Railway shall be defrayed by the Persons or Body interested in the Tidal Water or Tidal Lands for whose Benefit or Convenience the same is required.

Where

Where the Footway or Carriageway is made across the Railway on the Level, then the Manner of the making and watching of the level Crossing shall be subject to the Approval of the Board of Trade; and where the level Crossing is made after the Construction of the Railway, then all Expenses attending the watching thereof shall be defrayed by the Persons or Body interested in the Tidal Water or Tidal Lands for whose Benefit or Convenience the same is required.

Prohibition of Deviation of certain Works without Consent of Board of Trade.

17. Where the Company is authorized by the Special Act to construct a Railway skirting a public navigable Tidal River or Channel, the Company shall not make any Deviation of the Railway from the continuous centre Line thereof marked on the Plan deposited by them at the Board of Trade, even within the Limits of Deviation shown on that Plan, in such Manner as to diminish the navigable Space, without the previous Consent of the Board of Trade, or otherwise than in such Manner as is expressly authorized by the Board of Trade.

If any Deviation is made in contravention of the present Section, the Board of Trade may abate and remove the Work in the Construction whereof the Deviation is made, or any Part thereof, and restore the Site thereof to its former Condition, at the Expense of the Company; and the Amount of such Expense shall be a Debt due from the Company to the Crown, and be recoverable accordingly with Costs, or the same may be recovered, with Costs, as a Penalty is recoverable from the Company.

Abatement of Work abandoned or decayed.

18. If a Work constructed by the Company on, in, over, through, or across Tidal Lands or a Tidal Water is abandoned, or suffered to fall into Decay, the Board of Trade may abate and remove the Work, or any Part of it, and restore the Site thereof to its former Condition, at the Expense of the Company; and the Amount of such Expense shall be a Debt due from the Company to the Crown, and be recoverable accordingly, with Costs, or the same may be recovered, with Costs, as a Penalty is recoverable from the Company.

Survey of Works by Board of Trade.

19. If at any Time the Board of Trade deems it expedient, for the Purposes of the Special Act or of this Part of this Act, to order a Survey and Examination of a Work constructed by the Company on, in, over, through, or across Tidal Lands or Tidal Water, or of the intended Site of any such Work, the Company shall defray the Expense of the Survey and Examination; and the Amount thereof shall be a Debt due from the Company to the Crown, and be

recoverable accordingly, with Costs, or the same may be recovered, with Costs, as a Penalty is recoverable from the Company.

Part II.

Extension of Time.

Parties aggrieved by Extension of Time may have Compensation for additional Damage.

20. Where a Railway is authorized to be constructed by a Special Act passed either before or after the passing of this Act, and the Time limited by the Special Act for the Exercise of Powers of compulsory Purchase of Lands, or of Powers for Construction of the Railway and Works, is extended by a Special Act hereafter passed and incorporating this Part of this Act,—then and in every such Case the Justices, Arbitrators, Umpires, or Juries, as the Case may be, who award or assess the Compensation to be made by the Company to the Owners or Occupiers of, or other Persons interested in, Lands taken or used for the Purposes of the Railway and Works, or injuriously affected by the Construction thereof, shall, in estimating the Amount of such Compensation, have regard to, and assess Compensation for, the additional Damage (if any) sustained by those Owners, Occupiers, or other Persons, by reason of the Extension of Time.

Existing Contracts and Notices to take Lands not to be affected.

21. The Extension of Time shall not affect any Contract entered into or Notice given by the Company before the passing of the Special Act granting the Extension, for purchasing, taking, or using any Lands which the Company was entitled to purchase, take, or use; but every such Contract and Notice shall be construed and take effect, and the same Proceedings may be had thereunder, and all Parties thereto shall be entitled to the same Rights and Remedies in respect thereof, at Law and in Equity, as if the Extension had not been granted.

Part III.

Working Agreements.

Restrictions on Agreements between Companies.

22. Where Two or more Companies are authorized by a Special Act hereafter passed and incorporating this Part of this Act, to agree among themselves with respect to all or any of the following Purposes; namely,—

The Maintenance and Management of the Railways of the Company respectively, or any One or more of them, or any Part thereof respectively, and of the Works connected therewith respectively, or any of them;

The

The Use and Working of the Railways or Railway, or of any Part thereof, and the Conveyance of the Traffic thereon;

The fixing, collecting, and Apportionment of the Tolls, Rates, and Charges or Revenues to be levied or taken in respect of the Traffic;—

then and in every such Case the Authority so to agree, or the Agreement when entered into, shall not in any Manner affect any of the Tolls, Fares, Rates, or Charges which the Companies Parties thereto are from Time to Time respectively authorized to demand and receive from any Person or from any other Company; but all such Persons and Companies shall, notwithstanding the Agreement, be entitled to the Use and Benefit of the Railways of the several Companies, Parties to the Agreement, on the same Terms and Conditions, and on Payment of the same Tolls, Fares, Rates, and Charges, as they would be if such Authority had not been given or the Agreement had not been entered into.

Sanction of Shareholders to Agreements.

23. The Agreement shall not, save so far as its Terms and Conditions are authorized by The Railways Clauses Consolidation Act, 1845, or by The Railways Clauses Consolidation (Scotland) Act, 1845, as the Case may require, or by any other General Statute or Law from Time to Time in force with respect to the Companies Parties to the Agreement, have any Operation unless and until it is sanctioned by such Proportion of the Votes of the Shareholders and Stockholders entitled to vote in that Behalf at Meetings of the several Companies Parties thereto, present (personally or by proxy) at a General Meeting of each Company specially convened for the Purpose (in manner herein-after mentioned), as is prescribed in the Special Act, and if no Proportion is prescribed, then by Three Fifths of such Votes.

Every such Meeting shall be convened by Circular addressed to each such Shareholder and Stockholder, and served in the Manner prescribed by The Companies Clauses Consolidation Act, 1845, or The Companies Clauses Consolidation (Scotland) Act, 1845, as the Case may require, with respect to Notices requiring to be served by the Company upon the Shareholders, and also by Advertisement inserted once at least in each of Two consecutive Weeks in some Newspaper published or circulating in the County prescribed in the Special Act, and if no County is prescribed, then in the County in which the Head Office of the Company is situate, the last of such Advertisements to be published not less than Seven Days before the Meeting.

Public Notice of Intention to

24. Before the Companies enter into the Agreement Notice of their Intention to do so shall be given by them or One of them,

enter into such Agreement.

them, in a Form to be approved by the Board of Trade, inserted once at least in each of Three successive Weeks in some Newspaper published or circulating in the County prescribed in the Special Act, and if no County is prescribed, then in the County or One of the Counties in which each Railway to the Maintenance, Management, Use, or working wherof the proposed Agreement relates, or some Portion of that Railway, is situate; and the Notice shall set forth within what Time and in what Manner any Company or Person aggrieved by the proposed Agreement, and desiring to object thereto, may bring the Objection before the Board of Trade.

Approval of Board of Trade.

25. The Agreement shall not have any Operation until it is approved by the Board of Trade; and the Board of Trade shall not approve the Agreement without being satisfied of its having received such Sanction of Meetings of the respective Companies as aforesaid.

Computation of Charges for Traffic.

26. Where an Agreement is so entered into for the working together of Two or more Railways, then, during the Continuance of the Agreement, in computing Charges for Conveyance of Passengers, Animals, and Goods upon more than One of the Railways, Distances shall be measured along the several Railways as if the same were One continuous Line of Railway; and One Short-Distance Charge only shall be made, and that according to the Short Distance and Charge prescribed in the Special Act, and if none are prescribed, then according to the Short Distance and Charge authorized in respect of the Railway of the Company by whom the Railways are worked.

Joint Committee for Purposes of Agreements.

27. The Companies Parties to the Agreement may, in accordance therewith and for the Purposes thereof, appoint a Joint Committee, composed of such Number of the Directors of each Company as the Companies think proper, and from Time to Time may vary and renew the Joint Committee as Occasion requires, and may regulate the Proceedings of the Joint Committee, and may delegate to the Joint Committee all such of the Powers of the Companies as the Companies think necessary for carrying into effect the Purposes of the Agreement; and the Joint Committee shall have and may exercise the Powers so from Time to Time delegated to them in like Manner as the same Powers might be had and exercised by the Companies respectively or their respective Directors.

Agreements between Companies may be modified by Board of Trade.

28. At the Expiration of the first or any subsequent Period of Ten Years after the making of the Agreement, the Board of Trade may, if they are of opinion that the Interests of the Public are prejudicially affected thereby, cause the same to be revised; and the Board

Board of Trade may require the Companies Parties thereto to publish such Notices of any intended Revision of the Agreement as the Board of Trade may direct; and the Board of Trade may modify the Agreement in such Manner as may seem expedient for the Protection of the Interests of the Public, and may declare the Modification to be Part of the Agreement, and the same shall be read and take effect accordingly.

Provided, that if any Modification directed by the Board of Trade is not, within Three Months after the same is directed, approved by such Proportion of the Votes of the Shareholders and Stockholders entitled to vote in that Behalf at Meetings of the several Companies Parties thereto, present (personally or by proxy) at a General Meeting of each Company specially convened for the Purpose, as is prescribed in the Special Act, and if no Proportion is prescribed, then by Three Fifths of such Votes (every such Meeting being convened in manner herein-before provided with respect to Meetings for the original sanctioning of Agreements),—then and in every such Case the Modification directed shall not take effect, and at the Expiration of Twelve Months from the Time at which the Direction of the Board of Trade for the making of the Modification is given, the Agreement shall absolutely cease; but until the holding of any such Meeting or the Expiration of such Twelve Months (as the Case may be) the Agreement shall continue to operate as if the Modification had not been directed.

Working Agreements between a Company and an Individual.

29. Where a Company is authorized by a Special Act hereafter passed, and incorporating this Part of this Act, to agree with a Person being the Proprietor of a Railway with respect to all or any of the Purposes specified in this Part of this Act, then and in every such Case the Provisions of this Part of this Act shall apply, mutatis mutandis, to the Company in relation to such Authority and to the Agreement entered into by virtue thereof.

Alteration of Agreement.

30. For the Purposes of this Part of this Act, any Alteration of an Agreement by the Parties thereto shall be deemed an Agreement.

Part IV.

Steam Vessels.

Provision for securing Equality of Treatment.

31. Where a Railway Company incorporated either before or after the passing of this Act is authorized by a Special Act hereafter passed and incorporating this Part of this Act, to build, or buy, or hire, and to use, maintain, and work, or to enter into Arrangements for using, maintaining, or working Steam Vessels for the

Purpose of carrying on a Communication between any Towns or Ports, and to take Tolls in respect of such Steam Vessels,—then and in every such Case Tolls shall be at all Times charged to all Persons equally, and after the same Rate in respect to Passengers conveyed in a like Vessel passing between the same Places under like Circumstances; and no Reduction or Advance in the Tolls shall be made in favour of or against any Person using the Steam Vessels in consequence of his having travelled or being about to travel on the whole or any Part of the Company's Railway, or not having travelled or not being about to travel on any Part thereof.

Application of Railway and Canal Traffic Act.

32. The Provisions of The Railway and Canal Traffic Act, 1854, so far as the same are applicable, shall extend to the Steam Vessels, and to the Traffic carried on thereby.

Company empowered to make Bye-laws for regulating Steam Vessels.

33. The Company may from Time to Time make Byelaws in relation to Passengers, Animals, and Goods conveyed in or upon the Steam Vessels, and as to the Embarkation and Disembarkation thereof respectively, and may enforce the Observance of the same by Penalties, in the same Manner as they may with respect to Passengers, Animals, and Goods conveyed upon their Railway; such Byelaws to be sanctioned and authenticated in the same Manner as is required by any Special or other Act with respect to Byelaws relating to the Company's Railway, and being published by being painted on Boards, or printed on Paper and pasted on Boards, and hung up or affixed and continued on some conspicuous Part of every Steam Vessel and Landing-place of the Company; and such Byelaws, and all Penalties in respect of the Breach thereof, shall be enforced and recovered in the same Manner as is provided with respect to Byelaws relating to the Company's Railway, and to Penalties in respect of the Breach thereof.

Recovery of Money by Distress.

34. All Tolls and Charges for the Steam Vessels due and payable to the Company on any Account whatsoever, and all Costs, Damages, and Expenses by the Special Act directed to be paid in respect of the Steam Vessels, may be levied by Distress; and in England or Ireland any Justice, and in Scotland the Sheriff, may, on Application by or on behalf of the Company, issue his Warrant accordingly.

The Justice or Sheriff who issues the Warrant of Distress may order that the Costs of the Proceedings for the Recovery of the Toll or Sum shall be paid by the Person liable to pay the Toll or Sum, and the Costs shall be ascertained by the Justice or Sheriff, and shall be included in the Warrant of Distress for the Recovery of the Toll or Sum.

35. Any

35. Any Number of Names and Sums may be included in any Warrant of Distress or Notice obtained or given by the Company for any of the Purposes of this Part of this Act, or of the Provisions of the Special Act with respect to the Steam Vessels, and may be stated either in the Body of the Warrant or Notice, or in a Schedule thereto. Several Names in One Warrant.

36. In every Seventh Year after the passing of the Special Act, reckoned from the First Day of January next after its passing, the Board of Trade, if they are of opinion that the Interests of the Public are prejudicially affected by the Exercise of the Powers of the Company relative to Steam Vessels, may give to the Company Notice in Writing thereof, and of the Reasons on which that Opinion is founded, and if the Company does not before the Beginning of the then next Session of Parliament make Provision to the Satisfaction of the Board of Trade for Protection of the Interests of the Public, or if the Injury done to the Interests of the Public is in the Opinion of the Board of Trade incapable of being remedied by the Company, then the Board of Trade, at the Beginning of the Session of Parliament then next following, shall report to both Houses of Parliament such their Opinion, and the Reasons on which that Opinion is founded, and at the Expiration of Twelve Calendar Months after the Presentation to the Houses of Parliament of that Report, the Powers of the Company relative to Steam Vessels, or such of them as are specified in the Report, shall, unless Parliament in the meantime otherwise provides, cease to be exercised. Provision for Cesser of Powers as to Steam Vessels, on Report from Board of Trade.

Part V.

Amalgamation.

37. This Part of this Act shall apply where Two or more Railway Companies, respectively incorporated either before or after the passing of this Act, are amalgamated by a Special Act hereafter passed and incorporating this Part of this Act. Application of Part V.

38. For the Purposes of this Part of this Act, Companies shall be deemed amalgamated by a Special Act, in either of the following Cases: Definition of Cases of Amalgamation.

(1.) Where by the Special Act Two or more Companies are dissolved, and the Members thereof respectively are united into and incorporated as a new Company:

(2.) Where by the Special Act a Company or Companies is or are dissolved, and the Undertaking or Undertakings of the dissolved Company or Companies is or are transferred to another existing Company, with or without a Change in the Name of that Company:

And in this Part of this Act, such Special Act is referred to as the amalgamating Act; the Company incorporated or continued by or under the amalgamating Act is referred to as the amalgamated Company; and the Time prescribed in the amalgamating Act for the Amalgamation taking effect, and if no Time is prescribed, then the Time of the passing of the amalgamating Act, is referred to as the Time of Amalgamation.

Undertakings of dissolved Companies vested in amalgamated Company.

39. In every Case of Amalgamation, the Undertaking, Railways, Harbours, Navigations, Ferries, Wharfs, Canals, Works, Real and Personal Property, Powers, Authorities, Privileges, Exemptions, Rights of Action and Suit, and all other the Rights and Interests of the dissolved Company, shall, subject to the Contracts, Obligations, Debts, and Liabilities of that Company, become at the Time of Amalgamation, and by virtue of the amalgamating Act, vested in the amalgamated Company, and may and shall be held, used, exercised, and enjoyed by the amalgamated Company in the same Manner and to the same Extent as the same respectively at the Time of Amalgamation are, or if the amalgamating Act were not passed might be, held, used, exercised, and enjoyed by the dissolved Company.

Acts relating to dissolved Companies to apply to amalgamated Company.

40. The Special Acts relating to or affecting the dissolved Company or their Undertaking in force at the passing of the amalgamating Act, shall, except so far as they are thereby expressed to be varied or repealed, remain in full Force; and all Rights and Powers thereby conferred on and vested in the dissolved Company in relation to their Undertaking may be enjoyed and exercised by the amalgamated Company in relation to that Undertaking; and all Matters to be done, continued, or completed, or which but for the Amalgamation would, might, or could be done, continued, or completed, by the dissolved Company, or their Directors, Officers, or Servants, under or by virtue of those Acts, shall or may be done continued, or completed by the amalgamated Company, and their Directors, Officers, and Servants, as the Case may be; and every Special Act, so far as it relates to or affects the dissolved Company or their Undertaking, shall be read and construed as if the Name of the amalgamated Company had been used therein in relation to that Undertaking instead of the Name of the dissolved Company.

41. All

Saving Debts and Claims of dissolved Companies.

41. All Debts and Money due from or to the dissolved Company, or any Persons on their Behalf, shall be payable and paid by or to the amalgamated Company; and all Tolls, Rates, Duties, and Money due or payable by virtue of any Act relating to the dissolved Company from or to that Company shall be due and payable from or to the amalgamated Company, and shall be recoverable from or by the amalgamated Company by the same Ways and Means, and subject to the same Conditions, as the same would or might have been recoverable from or by the dissolved Company if the amalgamating Act had not been passed.

Saving Conveyances, Contracts.

42. All Deeds, Conveyances, Grants, Assignments, Leases, Purchases, Sales, Mortgages, Bonds, Covenants, Agreements, Contracts, and Securities which before the Amalgamation have been executed, made, or entered into by, with, to or in relation to the dissolved Company, or the Directors thereof, and which are in force at the Time of Amalgamation, and all Obligations and Liabilities which before the Amalgamation have been incurred by or to, or which but for the Amalgamation might or would have arisen in relation to, the dissolved Company or the Directors thereof, shall be as valid and of as full Force and Effect in favour of, against, or in relation to the amalgamated Company as if the same had been executed, made, or entered into by, with, or to, or in relation to, or had been incurred by or to or had arisen in relation to, the amalgamated Company by Name.

Causes and Rights of Action reserved.

43. All Causes and Rights of Action or Suit accrued before the Time of Amalgamation, and then in any Manner enforceable by, for, or against the dissolved Company shall be and remain as good, valid, and effectual for or against the amalgamated Company as they would or might have been for or against the dissolved Company affected thereby, if the amalgamating Act had not been passed.

Actions not to abate.

44. Nothing in the amalgamating Act or in this Part of this Act shall cause the Abatement, Discontinuance, or Determination of or in anywise prejudicially affect any Action, Suit, or other Proceeding at Law or in Equity commenced by or against the dissolved Company, either solely or jointly with any other Company or with any Person, before the Time of Amalgamation, and then pending; but the same may be continued, prosecuted, or enforced by or against the amalgamated Company, either solely or, as the Case may require, jointly with such other Company or with such Person; and all Persons committing Offences against any of the Provisions of any Special Act relating to the dissolved Company before the Amalgamation may be prosecuted, and all Penalties incurred by reason of such Offences may be sued for and recovered, in like Manner in all respects

as if the amalgamating Act had not been passed,—the amalgamated Company being in respect of all such Matters considered as identical with the dissolved Company.

Saving Submissions and Awards relating to dissolved Companies.

45. No Submission to Arbitration of any Matter in dispute between the dissolved Company and any other Company or any Person, under which any Reference is pending and incomplete at the Time of Amalgamation, and no Award theretofore made and then remaining in force, shall be revoked or prejudicially affected by anything in the amalgamating Act or in this Part of this Act contained; but every such Submission and Award shall be as valid and effectual for or against the amalgamated Company as it would have been for or against the dissolved Company.

Unexecuted Works of dissolved Companies may be completed.

46. All Works which the dissolved Company is at the Time of Amalgamation authorized or bound to execute and complete, and which are not then executed or completed, may or shall (as the Case may require) be executed or completed by the amalgamated Company, and for that Purpose the amalgamated Company shall have and be subject to all the Powers, Rights, and Conditions which were conferred or imposed upon the dissolved Company, and which but for the passing of the amalgamating Act might have been exercised by or enforced against the dissolved Company.

Contracts for Land entered into by dissolved Companies to be executed.

47. Where the dissolved Company has under any Special Act entered into any Contract for the Purchase of or taken or used any Lands, which at the Time of Amalgamation have not been effectually conveyed to the dissolved Company, or the Purchase Money in respect of which has not been duly paid by the dissolved Company, —then and in every such Case the Contract, if in force at the Time of Amalgamation, shall thereafter be completed by, and such Lands shall be conveyed to, the amalgamated Company, or as the amalgamated Company directs, and the Purchase Money shall be paid and applied pursuant to the Special Acts relating to the dissolved Company; and those Acts shall, in relation to the Completion of the Contract and the Purchase and Conveyance of the Lands, and the Payment and Application of the Purchase Money in respect thereof, be read and construed as if the amalgamated Company were the Company named in the Acts and Contract.

Application of Money paid into Bank or to Trustees.

48. Where any Money has, before the Time of Amalgamation, been paid by the dissolved Company, or is thereafter paid by the amalgamated Company under any Special Act relating to the dissolved Company, into the Bank of England, or into One of the incorporated or chartered Banks in Scotland, or into the Bank of Ireland, or

to

to any Trustee or Trustees, on account of the Purchase of any Lands, or any Interest therein, or for any Compensation or Satisfaction, or on any other Account, such Money, or the Stocks, Funds, or Securities in or upon which the same then is or thereafter may be invested by Order of any Court, or otherwise, and the Interest, Dividends, and annual Produce thereof, shall be applied and disposed of pursuant to such Special Act; and that and every other Act shall, in relation to such Money, Stocks, Funds, or Securities, or the Interest, Dividends, or annual Produce thereof, be read and construed as if the amalgamated Company were the Company therein named with reference to the same Money, Stocks, Funds, Securities, Interest, Dividends, or annual Produce.

Officers of dissolved Companies to be accountable for Books, &c.

49. All Officers and Persons who, at the Time of Amalgamation, have in their Possession or under their Control any Books, Documents, Papers, or Effects belonging to the dissolved Company, or to which the dissolved Company would but for such Dissolution have been entitled, shall be liable to account for and deliver up the same to the amalgamated Company, or to such Persons as the amalgamated Company may appoint to receive the same, in the same Manner, and subject to the same Consequences on Refusal or Neglect, as if such Officers and Persons had been appointed by and become possessed of such Books, Documents, Papers, or Effects for the amalgamated Company.

Officers of dissolved Companies to be Officers of amalgamated Company.

50. All Clerks, Officers, and Servants who at the Time of Amalgamation are in the Employment of the dissolved Company shall thereupon become Clerks, Officers, or Servants, as the Case may be, of the amalgamated Company, with the same Rights, and subject to the same Obligations and Incidents in respect of such Employment as they would have had or been subject to as the Clerks, Officers, or Servants of the dissolved Company, and shall so continue unless and until they respectively are duly removed from such Employment by the amalgamated Company, or until the Terms of their Employment are duly altered by the amalgamated Company.

Books, &c. to be Evidence.

51. All Books and Documents which would have been Evidence in respect of any Matter for or against the dissolved Company shall be admitted as Evidence in respect of the same or the like Matter for or against the amalgamated Company.

Resolutions of dissolved Companies to remain in force.

52. All Resolutions of any General Meeting or Board of Directors of the dissolved Company, or of any duly constituted and authorized Committee thereof, so far as the same are applicable and remain in force, shall, notwithstanding the Dissolution, continue to be operative, and shall apply to the amalgamated Company, and to

the Directors, Officers, and Servants of the amalgamated Company, until duly revoked or altered by the amalgamated Company or under their Authority.

Payment of Calls.

53. All Calls made by the dissolved Company, and not paid at the Time of Amalgamation, shall be payable to and may be enforced by the amalgamated Company, as if such Calls had been made by the amalgamated Company.

Registers, Books, and Certificates relating to dissolved Companies to subsist until replaced.

54. All Registers of Shares, Stock, Mortgages, and Bonds of the dissolved Company, and all Registers of Transfers thereof respectively, and all Shareholders and Stockholders Address Books, and all Certificates of Shares or Stock of and in the dissolved Company, which are valid and subsisting at the Time of Amalgamation, shall continue to be valid and subsisting, and shall have the same Operation and Effect as before the Dissolution, unless and until new or altered Registers, Books, and Certificates respectively are substituted in their Stead; and all Transfers, Sales, or Dispositions of Stock or Shares made before the Dissolution and not then completed shall have the same Operation and Effect as if made after the Dissolution.

Byelaws to remain in force.

55. All the Byelaws, Rules, and Regulations of the dissolved Company relating to the Management, Use, or Control of their Undertaking shall, notwithstanding the Dissolution, continue to be in force and applicable to and in respect of the Undertaking, and shall and may be enforced by and available to the amalgamated Company in their own Name, as well for the Recovery of Penalties as for all other Purposes, as if the same respectively had been originally made by the amalgamated Company, until the Expiration of Twelve Months after the Time of Amalgamation, or until other Byelaws, Rules, and Regulations are duly made by the amalgamated Company in their Stead, whichever first happens.

General Saving of Rights and Claims.

56. Notwithstanding the Dissolution of the dissolved Company, and the Amalgamation, everything before the Time of Amalgamation done, suffered, and confirmed respectively, under or by virtue of any Special Act relating to the dissolved Company, shall be as valid as if the amalgamating Act had not been passed; and the Dissolution and Amalgamation, and the amalgamating Act, and this Part of this Act, respectively, shall accordingly be subject and without Prejudice to everything so done, suffered, and confirmed respectively, and to all Rights, Liabilities, Claims, and Demands, present or future, which if the Dissolution and Amalgamation had not taken place, and the amalgamating Act had not been passed, would be incident to or consequent on anything so done, suffered, and

and confirmed respectively; and with respect to all Things so done, suffered, and confirmed respectively, and to all such Rights, Liabilities, Claims, and Demands, the amalgamated Company shall to all Intents represent the dissolved Company; and the Generality of this present Provision shall not be deemed to be restricted by any other of the Provisions of this Part of this Act, or by any Provision of the amalgamating Act that does not expressly refer to this present Provision, and expressly restrict the Operation thereof.

Part VI.

Abandonment of a Railway.

Release of Company from Liability in respect of Railway abandoned.

57. Where a Railway Company, incorporated either before or after the passing of this Act, is authorized by a Special Act hereafter passed and incorporating this Part of this Act, to abandon a Railway authorized by a previous Special Act to be constructed, they shall (subject to the Provisions of this Part of this Act) be released from all Liability to make, maintain, or work the Railway authorized to be abandoned, or to purchase any Lands for the making thereof, or (except as herein-after mentioned) to complete the Purchase of any Lands for the making thereof for the Purchase of which Notice has been given or a Contract entered into by or on behalf of the Company before the passing of the Special Act, or to complete any Contract for or concerning the making, maintaining, or working of the Railway authorized to be abandoned, or any other Contract relating thereto, which by reason of the Abandonment cannot be performed:

But nothing in the present Section or in the Special Act shall be deemed to release the Company from Liability to complete the Purchase of any Lands for the Purchase whereof a Contract has been entered into by or on behalf of the Company before the passing of the Special Act, in either of the following Cases, namely,—where the Contract has then already been in part performed, or where a specified Sum or Price has then already been fixed or ascertained by virtue or in pursuance of the Contract as the Consideration for the Lands agreed to be sold to or taken by the Company, notwithstanding that the Time for the Completion of the Purchase appointed in the Contract has been subsequently extended by Agreement with the Company.

Compensation to be made where Contracts have been entered into or Notice given.

58. Where before the passing of the Special Act a Notice or Contract has been given or entered into by or on behalf of the Company for purchasing any Lands which they were by the previous Special Act empowered to purchase for the Purpose of constructing the Railway,

and the Company would under this Part of this Act be relieved from the Effect of such Notice or from such Contract,—or where a Contract has been entered into concerning the constructing, maintaining, or working of the Railway, or any other Contract relating thereto, which by reason of the Abandonment cannot be performed,—then and in every such Case the Company shall make to the Owners or Occupiers of and other Parties interested in the Lands, or being respectively Parties to the Contract, Compensation, to be determined by Arbitration, for any Damage sustained by them by reason of the Purchase or Contract not being completed or performed.

Compensation to adjoining Landowners in lieu of Accommodation Works.

59. Where the Railway has been wholly or partially made, the Company shall make to the Owners, Lessees, and Occupiers of Lands Compensation, to be determined by Arbitration, for any Damage sustained by them by reason of the Omission to make such Gates, Passages, Drains, Watercourses, Bridges, and other Works for the Accommodation of Lands as the Company would have been required to make if the Railway had not been authorized to be abandoned.

Provision as to Roads crossed by Railway abandoned.

60. Where the Railway has been wholly or partially made, and a Road has been carried across it by means of a Bridge over or an Arch under it, and the Company would, in case the Railway were not abandoned, be liable to keep in repair the Bridge or Arch,—then and in every such Case, either the Company shall, with the Permission of the Board of Trade, remove the Bridge or Arch and restore the Road to a State as convenient as may be, to the Satisfaction (in case of Difference between the Company and the Owner or Persons having the Management of the Road) of an Engineer to be appointed by the Board of Trade, or else the Company shall pay to the Owner of the Road (if a private Road), or to the Trustees, Surveyors, or other Persons having the Management of the Road (if a Turnpike or other public Road), a Sum of Money, to be determined in case of Difference by Arbitration, in lieu and discharge of their Liability to keep in repair the Bridge or Arch.

Every Sum so paid to Trustees, Surveyors, or other Persons having the Management of a Road shall be disposed of as follows:

In England or Ireland the same shall be forthwith paid over by those Trustees, Surveyors, or other Persons to the Treasurer of the County where the Bridge or Arch in respect whereof the same is paid is situate, and shall be by him invested in Consolidated Bank Annuities or other Public Securities; and the Dividends or Income thereof shall, until Parliament otherwise provides, be applied in the Maintenance of the Bridge or Arch in such Manner as in England the Justices of the Peace in General or Quarter Sessions

Sessions assembled, and in Ireland the Grand Jury, having Jurisdiction where the Bridge or Arch is situate, from Time to Time order:

In Scotland the aforesaid Sum shall be forthwith paid by the Trustees, Surveyors, or other Persons aforesaid into One of the incorporated or chartered Banks; and the Interest to arise thereon shall, until Parliament otherwise provides, be applied in the Maintenance of the Bridge or Arch in respect whereof the same is paid, in such Manner as the Sheriff of the County where the Bridge or Arch is situate, in case of any Difficulty arising, from Time to Time directs.

Process of Arbitration.

61. Everything in this Part of this Act directed to be determined by Arbitration shall be determined by Arbitration in manner provided by the said Railways Clauses Consolidation Acts, respectively.

Limitation of Time for Claim of Compensation.

62. Notwithstanding any thing in this Part of this Act or in the Special Act, the Company shall not be liable to make Compensation in respect of Damage alleged to have been sustained by reason of the Abandonment or of the Non-completion of any Contract, in any of the Cases aforesaid, unless the Claim for Compensation is made within Six Months after the passing of the Special Act authorizing the Abandonment.

Company to be still liable for Damage occasioned by their Entry on Lands for taking Levels, &c.

63. Nothing in this Part of this Act or in the Special Act shall affect the Right of the Owner, Lessee, or Occupier of any Lands to Compensation from the Company for any Damage occasioned by their Entry thereon for the Purpose of surveying or taking Levels, or of probing or boring to ascertain the Nature of the Soil, or of setting out the Line of the Railway, pursuant to the Provisions of the said Lands Clauses Consolidation Acts, respectively.

Lands purchased by the Company to be sold within a limited Time.

64. All Lands acquired by the Company for the Purposes of the Railway authorized to be abandoned shall be sold by the Company within the Time prescribed in the Special Act, and if no Time is prescribed, then within Two Years from the passing of the Special Act, and in every Case in the Manner prescribed by the Provisions of the said Lands Clauses Consolidation Acts, respectively, with respect to the Lands acquired by the Promoters of the Undertaking under the Provisions of their Special Act, but which are not required for the Purposes thereof, which Provisions shall be deemed to be incorporated with the Special Act authorizing the Abandonment of the Railway: Provided, that the Offer to be made by the Company pursuant to those Provisions to sell the Lands to the Person entitled to the Lands from which

which the same were severed shall be made at a Price not greater than the Price at which the Lands were purchased by the Company.

Abandonment of Part of a Railway.

65. This Part of this Act shall apply, mutatis mutandis, in any Case where the Company is authorized in manner aforesaid to abandon Part of a Railway.

A

B I L L

[AS AMENDED IN COMMITTEE]

For consolidating in One Act certain Provisions frequently inserted in Acts relating to Railways.

(Prepared and brought in by Mr. Milner Gibson and Mr. Hutt.)

Ordered, by The House of Commons, *to be Printed,* 13 *July* 1863.

[Bill 230.]

Under 3 oz.

LORDS AMENDMENTS

TO THE

RAILWAYS CLAUSES BILL.

Note.—*The Page and Line refer to the Bill* (238.) *as first printed by the Lords.*

Page 3.
Line 34. Leave out ("not exceeding") and insert ("of")
Line 36. Leave out ("adjudged") and insert ("incurred")

Page 4.
Line 17. Leave out ("Fourteen Days") and insert ("Three Months")

Page 5.
Lines 1 and 2. Leave out ("or the Special Act")

Page 10.
Leave out Clause 26.

Page 11.
Line 7. Leave out from ("accordingly") to the End of the Clause.

Page 12.
Line 10. After ("thereof") insert ("or in favour of or against any Person using the Railway in consequence of his having used or being about to use or his not having used or not being about to use the Steam Vessels")
Line 12. Leave out the Second ("Passenger") and insert ("Ticket")
Line 13. Leave out ("be entitled to")
Line 15. Leave out from ("Railway") to the End of the Clause.

Page 14.
Line 37. Leave out ("that") and insert ("the dissolved")

[Bill 277.]

LORDS AMENDMENTS

TO THE

RAILWAYS CLAUSES BILL.

Ordered, by The House of Commons, *to be Printed,*
25 *July* 1863.

[Bill 277.]

Under 1 *oz.*

Regimental Debts, &c. Bill.

ARRANGEMENT OF CLAUSES.

[*For former Provisions on same Subjects, see the Enactments repealed in Schedule, and the annual Articles of War, Arts.* 29–32 *of Articles for* 1862.]

Preliminary.

1. Short Title.
2. Interpretation.
2. Repeal of Enactments in Schedule.

PART I.—DEATH ON SERVICE.

Preferential Charges.

4. Definition of Preferential Charges on Property,—Military Debts, &c.
5. Surplus only, Personal Estate.
6. Determination of Questions respecting Amount, Payment, &c., of Preferential Charges by Secretary of State, or in India by Military Secretary to Government.

Collection and Disposal of Effects.

7. On Death of Officer or Soldier, Committee of Officers to secure Effects.
8. In India, Power for Committee to deliver over Effects to Administrator General.
9. If Preferential Charges not paid, Power for Committee to sell and convert Effects and get in Credits, and after Payment of Expenses to secure Surplus.

Disposal of Surplus.

10. Remittance of Surplus by Committee.
11. Remittance of Surplus to War Office where Death not in India.
12. On Death in India of Soldier of Her Majesty's Army, Remittance to War Office.
13. Provisions applicable to all other Cases of Death in India.

Disposal of Residue by Secretary of State.

14. On Receipt of Surplus at War or India Office, Gazette and other Notices to be published as to Amount to Credit of Deceased, and other Particulars.

15. Residue exceeding 100*l.* to be paid to Representative only.
16. Residue not exceeding 100*l.*, to be paid to Representative, if any.
17. Where Residue does not exceed 100*l.*, and no Representation, Power for War or India Office to pay it over for Benefit of Widow, &c., or to invest it for Benefit of Children, &c.

Debts.

18. Provision in last-mentioned Case for Payment of Debts out of Residue.

Undisposed-of Residues.

19. Residues undisposed of for Six Years, to be applied towards Compassionate Fund.

Medals and Decorations.

20. Medals and Decorations excepted, and to be disposed of according to Royal Warrant.

Exception as to Regimental Paymasters.

21. Special Provision for Case of Death of Regimental Paymaster.

Administrators General and other Official Administrators.

22. Restriction on Interposition of Official Administrators; their Duties.

Miscellaneous.

23. Money remitted not to be Assets in Place where remitted to.
24. Deduction of Arrears of Subscription to Military and Orphan Funds.
25. Exemptions from Duty.
26. Creditor not entitled to take out Representation for Purposes of this Act.
27. Deposit in Court of Probate, &c., of Wills and Declarations of Intestacy.

PART II.—DESERTION AND OTHER CASES.

28. On Desertion, Officers to sell Effects, and pay Expenses.
29. Application of Surplus.
30. Absence without Leave.
31. Apprenticeship; Conviction for Felony.

PART III.—INSANITY.

32. In case of Insanity Committee of Officers to secure Effects.
33. Liability of Effects to be applied as for Payment of Preferential Charges.

34. If Preferential Charges not paid Power for Committee to sell and apply Proceeds.

35. Power for War or India Office to apply Officer's Half Pay, in case of Insanity, for his Benefit.

PART IV.—GENERAL PROVISIONS.

36. Validity of Payments, Sales, &c. under this Act; and Indemnity to Officers and others acting under it.

37. Further Regulations by Royal Warrant.

38. Commencement of Act.

SCHEDULE.

A

B I L L

TO

Consolidate and amend the Acts relating to the Payment of Regimental Debts, and the Distribution of the Effects of Officers and Soldiers in case of Death, and to make Provision for the Cases of Desertion and Insanity, and other Cases.

WHEREAS it is expedient to consolidate and amend the Provisions now in force relating to the Payment of Regimental Debts, and the Distribution of the Effects of Officers and Soldiers dying on Service, and those Provisions having been found beneficial, it is also expedient to make like Provision for the Security and Application of the Effects of Deserters and others, and of Officers and Soldiers becoming insane on Service: Preamble.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

1. This Act may be cited as The Regimental Debts Act, 1863. Short Title.

Interpretation.

2. In this Act—

The Term "Officer" means (except where it is otherwise expressed) a Commissioned Officer of Her Majesty's Army, or of Her Majesty's Indian Army:

The Term "Soldier" means (except where it is otherwise expressed) a Soldier of Her Majesty's Army, or a European Soldier of Her Majesty's Indian Army, including a Warrant and a Non-commissioned Officer:

The Term "Representation" includes Probate, and Letters of Administration, with or without Will annexed, and the corresponding Documents or Acts in use according to the Law of Scotland, or other Law in force in any Place where this Act operates:

The Term "Representative" means any Person taking out Representation:

The Term "the Secretary of State for War" means such One of Her Majesty's Principal Secretaries of State for the Time being as Her Majesty thinks fit to intrust with the Seals of the War Department:

21 & 22 Vict. c. 106.

The Term "India" means the Territories for the Time being vested in Her Majesty under the Act of the Year 1858, "for the better Government of India":

The Term "the Secretary of State for India in Council" means One of Her Majesty's Principal Secretaries of State acting with the Council of India under that Act:

The Term "Person" includes a Corporation and any Body of Persons.

Repeal of Enactments in Schedule.

3. The Enactments described in the Schedule to this Act shall be repealed; but this Repeal shall not affect the past Operation of any such Enactment, or any thing already done, or any Right, Title, Obligation, or Liability already accrued thereunder, or any Remedy or Proceeding for the Enforcement thereof.

PART I.—Death on Service.

Preferential Charges.

Definition of Preferential Charges on Property,—Military Debts, &c.

4. Where an Officer or Soldier dies on Service, the following Classes of Expenses and Debts incurred and owing by him or on his Account shall, for the Purposes of this Act, be considered Preferential Charges on his Personal Property, and be payable thereout in preference to all other Debts and Liabilities, and, as among themselves, in the following Order:—

(1.) Expenses of last Illness and Funeral:

(2.) Military Debts, namely, Sums due in respect of—

Quarters;

Quarters;

Mess, Band, and other Regimental Accounts;

Military Clothing, Appointments and Equipments, not exceeding a Sum equal to ... Months' Pay of the Deceased, and having become due within ... before his Death;

including Sums due to any Agent or to any Paymaster, Quartermaster, or other Officer, on any such Account, or on account of any Advance made for any such Purpose:

to which shall be added, where the Death occurs out of the United Kingdom,—

(3.) Servants' Wages, not exceeding *Two Months'* Wages to each Servant:

(4.) Household Expenses incurred within *a Month* before the Death or after the last Issue of Pay to the Deceased, whichever is the shorter Period.

Surplus only Personal Estate.

5. The Surplus only of the Personal Property of an Officer or Soldier dying on Service, remaining over after Payment of Preferential Charges, shall be considered Personal Estate of the Deceased, with reference to the Calculation of Probate Duty, or of any other Tax or Percentage, or for any of the Purposes of Administration or Distribution.

Determination of Questions respecting Amount, Payment, &c. of Preferential Charges, by Secretary of State, or in India by Military Secretary to Government.

6. If, in any Case, a Doubt or Difference arises as to any particular Expense or Debt being a Preferential Charge or not,—or as to any alleged Preferential Charge having been in fact incurred, or being due, in the whole or in part, or not,—or as to the Priority among or Payment of any Preferential Charges, where the Property is insufficient to pay all in full, or where those of One Class exceed the Amount allowed for that Class,—or otherwise in relation to any Preferential Charge or the Payment thereof,—the Decision of the Secretary of State for War, where the Death occurs elsewhere than in India, and of the Military Secretary to the Government of the Presidency in which the Deceased was quartered, where the Death occurs in India, or of such Officer or Person as the Secretary of State or Military Secretary respectively deputes by Writing under his Hand to act for him in this Behalf, shall be final, and shall be binding on all Persons for all Purposes.

Collection and Disposal of Effects.

On Death of Officer or Soldier, Committee of Officers to secure Effects.

7. Immediately on the Death of an Officer or Soldier on Service, such Committee of Officers as may be prescribed by Royal Warrant, according to the Circumstances of different Cases, herein-after called the Committee of Adjustment, shall secure all such of his Effects as—

Where the Death occurs in the United Kingdom, are in Camp or Quarters; and

Where the Death occurs out of the United Kingdom, are within the Station, Colony, or Command.

 8. Where

In India, Power for Committee to deliver over Effects to Administrator General.

8. Where the Death occurs in India, the Committee of Adjustment shall, in such Cases, under such Circumstances, and at such Time or Times, as may be prescribed by Royal Warrant, according to the Circumstances of different Cases, deliver over the Effects secured by them to the Administrator General for the Presidency in which the Deceased was quartered.

If Preferential Charges not paid, Power for Committee to sell and convert Effects, and to get in Credits, and, after Payment of Expenses, to secure Surplus.

9. Subject to the last foregoing Provision, if the Representative of the Deceased, or his Widow (if any), or any of his Next of Kin, pays in full the Preferential Charges, the Committee of Adjustment shall not further interfere in relation to the Property.

If such Payment is not made, then, within *One Month* after the Death, the Committee of Adjustment may and shall, without any Representation taken out, and as if they were the Representatives of the Deceased, and to the Exclusion of all other Authorities and Persons whomsoever, sell or convert into Money such Parts of the Effects of the Deceased as do not consist of Money,—and also where the Death occurs out of the United Kingdom get in, and give Receipts (which shall be effectual Discharges) for, all or any of the Credits forming Part of the Estate of the Deceased, and being payable or recoverable in India or in the Colony or Possession in which the Deceased was quartered (as the Case may be), and, if they think fit, sue for and recover any of such Credits,—and, after paying thereout the Expenses attending the Discharge of their Duties, shall pay thereout the Preferential Charges, and secure the Surplus of the Effects, or Effects and Credits, as the Case may be, remaining over after all such Payments.

Disposal of Surplus.

Remittance of Surplus by Committee.

10. The Committee of Adjustment shall, according to the Circumstances of the Case, remit or lodge the Surplus aforesaid to or in the Hands of such Paymaster or other Officer or Person, at such Time or Times, in such Manner, and together with such Accounts, Vouchers, Reports, and Information, as may be prescribed by Royal Warrant.

Remittance of Surplus to War Office where Death not in India.

11. Where the Death occurs elsewhere than in India, the Paymaster or other Officer or Person aforesaid shall forthwith remit the Surplus to the Secretary of State for War.

On Death in India of Soldier in Her Majesty's Army, Remittance to War Office.

12. Where the Death occurs in India, the Deceased being a Soldier of Her Majesty's Army, then the Paymaster or other Officer or Person aforesaid shall dispose of the Surplus as follows:—

(1.) Where the Amount exceeds *One hundred Pounds*, he shall pay it over to the Representative of the Deceased in India, if any, and if there is none, shall forthwith remit it to the Secretary of State for War:

(2.) Where

(2.) Where the Amount does not exceed *One hundred Pounds*, it shall not be necessary for any Purpose that Representation to the Deceased be taken out in India, but if Representation is taken out there, such Paymaster or other Officer or Person shall pay the Amount over to the Representative in India:

(3.) Where the Amount does not exceed *One hundred Pounds*, and Representation in India is not taken out, then such Paymaster or other Officer or Person shall dispose of the Amount, or Part thereof, in India (in such Manner as may be prescribed by Royal Warrant for such Cases,) for the Benefit of the Widow and of the Children or other near Relatives (if any) of the Deceased, or of some of such Persons, being in India; and if there are no such Persons in India, or any Part of the Amount aforesaid is not so disposed of for their Benefit, he shall forthwith remit the whole Amount, or the Part thereof not disposed of in India (as the Case may be), to the Secretary of State for War.

Provisions applicable to all other Cases of Death in India.

13. Where the Death occurs in India, the Deceased not being a Soldier of Her Majesty's Army, the following Provisions shall take effect:—

(1.) The Paymaster or other Officer or Person aforesaid shall, as soon as may be after receiving the Surplus aforesaid, publish such Notice (stating the Amount of the Surplus, and other Particulars respecting the Deceased and his Property,) as may be prescribed by Royal Warrant, together with a Notice stating that all Claims by Creditors against the Property of the Deceased are to be lodged with such Paymaster or other Officer or Person; who shall retain the Surplus for *Two Months* after the first Publication of such Gazette Notice as aforesaid, and shall receive and record all Claims lodged with him, accordingly:

(2.) If Claims are so lodged, not exceeding in the whole such absolute Amount, or such Proportion of the Surplus, as may be prescribed by Royal Warrant, according to the Circumstances of different Cases, then such Paymaster or other Officer or Person shall, at the Expiration of the said *Two Months*, proceed to discharge the Demands of the Claimants who have lodged Claims with him, unless under the special Circumstances of the Case of the Deceased it appears to him inexpedient or unjust to do so:

(3.) In that Case, or in case the Claims lodged exceed in the whole the absolute Amount or the Proportion aforesaid, then such Paymaster or other Officer or Person shall, without discharging those Claims, or any of them, transfer the Surplus aforesaid to the Administrator General for the Presidency:

(4.) Where such Paymaster or other Officer or Person does not so transfer the Surplus, he shall dispose thereof, or of so much thereof as remains after the Discharge of any Claims, as follows:

Where the Amount exceeds *One hundred Pounds*, he shall pay it over to the Representative of the Deceased in India, if any;

Where the Amount does not exceed *One hundred Pounds*, it shall not be necessary for any Purpose that Representation to the Deceased be taken out in India, but if Representation is taken out there, such Paymaster or other Officer or Person shall pay the Amount over to the Representative in India;

Where the Amount does not exceed *One hundred Pounds*, and Representation in India is not taken out, such Paymaster or other Officer or Person shall dispose of the Amount, or Part thereof, in India, (in such Manner as may be prescribed by Royal Warrant for such Cases,) for the Benefit of the Widow and of the Children or other near Relatives (if any) of the Deceased, or of some of such Persons, being in India:

(5.) Subject to the foregoing Provisions, such Paymaster or other Officer or Person shall, at the Expiration of such Time, not exceeding in any Case *Six Months*, as may be prescribed by Royal Warrant, remit the Surplus, or so much thereof as remains in his Hands after discharging any Claims, from India to England, as follows,—

In the Cases of Officers of Her Majesty's Army constituting the Staff Corps of the Three Presidencies, and in the Cases of Officers and European Soldiers of Her Majesty's Indian Army, to the Secretary of State for India in Council,—

In other Cases, to the Secretary of State for War.

Disposal of Residue by Secretary of State.

On Receipt of Surplus at War or India Office, Gazette and other Notices to be published as to Amount to Credit of Deceased and other Particulars.

14. The Secretary of State for War, or the Secretary of State for India in Council, as the Case may be, on receiving any such Surplus or Part of a Surplus as is herein-before directed to be remitted, shall cause an Account to be made up, as soon as may be, of the total Amount to the Credit of the Deceased, including the Amount of the Surplus or Part of a Surplus so remitted, together with all Arrears of Pay, Batta, Grants, and other Allowances in the Nature thereof, and thereupon shall cause to be published, as soon as conveniently may be, in the London Gazette, and also in any Newspaper or otherwise as may seem fit, a Notice stating the total Amount

Amount to the Credit of the Deceased as aforesaid, herein-after called the Residue, and such other Particulars respecting the Deceased and his Property as may seem fit, together with a Notice stating the Mode in which any Application respecting the Residue is to be made to the Secretary of State for War, or to the Secretary of State for India in Council, as the Case may be.

Residue exceeding 100*l.* to be paid to Representative only.

15. Where the Residue exceeds *One hundred Pounds*, the Secretary of State for War, or the Secretary of State for India in Council, as the Case may be, shall dispose of the Residue by paying it over to the Representative of the Deceased.

Residue not exceeding 100*l.* to be paid to Representative, if any.

16. Where the Residue does not exceed *One hundred Pounds*, it shall not be necessary for any Purpose that Representation to the Deceased be taken out, but in any Case the Secretary of State for War, or the Secretary of State for India in Council, as the Case may be, may, if it seems fit, require Representation to be taken out; and if, on that Requisition or otherwise, Representation is taken out, then he shall dispose of the Residue by paying it over to the Representative.

Where Residue does not exceed 100*l.*, and no Representation, Power of War or India Office to pay it over for Benefit of Widow, &c., or to invest it for Benefit of Children, &c.

17. Where the Residue does not exceed *One hundred Pounds*, and Representation is not taken out, then, after the Expiration from the first Publication of the required Notice in the London Gazette, of *Three Months* in the Case of an Officer, and of *One Month* in the Case of a Soldier, the Secretary of State for War, or the Secretary of State for India in Council, as the Case may be, shall dispose of the Residue as follows:—

(1.) He shall, if he thinks fit, pay the Residue over to any Person showing herself or himself, to the Satisfaction of the Secretary of State for War, or the Secretary of State for India in Council, as the Case may be, to be the Widow of the Deceased, or to be the Child or any Relative of the Deceased, or to be entitled to take out Representation to the Deceased,—to the end that the Residue may be applied by the Person to whom it is so paid over in a due Course of Administration, and the same shall be so applied, accordingly (for which Application the Secretary of State for War, or the Secretary of State for India in Council, as the Case may be, may require such Security as seems fit):

(2.) Or else, where the Deceased leaves any Child or near Relative him surviving, the Secretary of State for War, or the Secretary of State for India in Council, as the Case may be, shall retain the Residue in his Hands on behalf of such Child

or near Relative, and shall invest the Residue, or any Part thereof, in such Manner as may be prescribed by Royal Warrant, and shall apply the Sums invested, and the Income thereof, or any Part thereof respectively, from Time to Time, for the Maintenance, Education, or Advancement, or otherwise for the Benefit, of such Child or near Relative, in such Manner as may seem fit, subject to such Regulations as may be laid down by Royal Warrant.

Debts.

Provision in last-mentioned Case for Payment of Debts out of Residue.

18. Notwithstanding anything herein-before contained, where the Residue does not exceed *One hundred Pounds*, and Representation to the Deceased is not taken out, the Secretary of State for War, or the Secretary of State for India in Council, as the Case may be, shall, before disposing of the Residue or any Part thereof, in manner aforesaid,—or after so disposing of the Residue or any Part thereof, if and so far as the Disposition thereof is capable of Revocation,—apply the Residue, or so much as may be requisite, in or towards Payment of any Debt of the Deceased of which he has Notice, subject to the following Conditions:

First.—That the Debt accrued due within *Three Years* before the Death:

Second.—That Payment of it is claimed within *Two Years* after the Death:

Third.—That the Claimant proves the Debt to the Satisfaction of the Secretary of State for War, or of the Secretary of State for India in Council, as the Case may be.

Any Person claiming to be a Creditor of the Deceased shall not be entitled to obtain Payment of his Debt out of any Money that may, under this Act, be in the Hands of the Secretary of State for War, or of the Secretary of State for India in Council, by any Means or Proceedings whatever except by means of a Claim lodged with such Secretary of State, and Proceedings thereon, under and according to this Act.

Nothing in the present Section shall prejudicially affect the Claim of any Creditor in respect of a Debt incurred before the Commencement of this Part of this Act.

Undisposed-of Residues.

Residues undisposed of for 6 Years to be applied towards Compassionate Fund.

19. If, in any Case, the Residue or any Part thereof remains, for *One Year* after the first Publication of the required Notice in the London Gazette, in the Hands of the Secretary of State for War, or of the Secretary of State for India in Council, as the Case may be, undisposed of or unappropriated, then as soon as conveniently may be after the End of that *Year* the Secretary of State for War, or the

the Secretary of State for India in Council, as the Case may be, shall cause to be published in the London Gazette a Notice similar to the original required Notice, mutatis mutandis, and so for *Six* successive Years from the Publication of the original Notice; and if, in any Case, the Residue, or any Part thereof, remains in the Hands of the Secretary of State for War, or the Secretary of State for India in Council, as the Case may be, undisposed of or unappropriated for *Six Months* after the Publication of the last of such required Notices in the London Gazette, then, at the Expiration of the said *Six Months*, he shall apply the same, together with any Income or Accumulations of Income accrued therefrom, in such Manner in or towards the Creation or Maintenance of such Compassionate or other Fund for the Benefit of Widows and Children or other near Relatives of Soldiers dying on Service, as may be prescribed by Royal Warrant.

Provided, that the Application under the present Section of any Residue, or Part of a Residue, undisposed of or unappropriated as aforesaid, shall not be deemed to bar any Claim of any Person to the same, or any Part thereof, that may be established at any Time after such Application.

Medals and Decorations.

Medals and Decorations excepted, and to be disposed of according to Royal Warrant.

20. Medals and Decorations belonging to an Officer or Soldier dying on Service shall not be considered to be comprised in the Personal Estate of the Deceased with reference to the Claims of Creditors or for any of the Purposes of Administration under this Act or otherwise; and, notwithstanding anything in this or any other Act contained, the same, when secured by the Committee of Adjustment, shall be held and disposed of according to Regulations laid down by Royal Warrant.

Exception as to Regimental Paymasters.

Special Provision for Case of Death of Regimental Paymaster.

21. The Case of a Regimental Paymaster dying on Service shall, notwithstanding anything herein-before contained, be provided for as follows:—

(1.) That Case shall be deemed wholly excepted out of the foregoing Provisions of this Act, save so far as they define and give Preference to and regulate the Payment of and provide for Decisions respecting Preferential Charges, and as they relate to the Duties and Powers of the Committee of Adjustment, and to Medals and Decorations:

(2.) The Duties and Powers of the Committee of Adjustment in relation to the Property shall, nevertheless, in the Case of a Regimental Paymaster, be deemed to arise in full, immediately and unconditionally on the Death, and to continue not-

notwithstanding the Payment of the Preferential Charges by any Person:

(3.) Money in the Possession or under the Control of a Regimental Paymaster at his Death shall not be considered to be comprised in his Effects for the Purposes of this Act:

(4.) The Surplus in the Hands of the Committee of Adjustment shall, in the Case of a Regimental Paymaster, be dealt with by them as may be prescribed by Royal Warrant, and not according to the foregoing Provisions of this Act.

Administrators General and other Official Administrators.

Restriction on Interposition of Official Administrators; their Duties.

22. An Administrator General for a Presidency in India, or a Registrar of any Court in India or in any of Her Majesty's Colonies or Possessions abroad, or any other Official Administrator, notwithstanding any Law regulating his Office independently of this Act, shall not interpose in any Manner in relation to any Property of an Officer or Soldier dying on Service, except in the Cases expressly provided for in this Act, or unless expressly required to do so by a Committee of Adjustment, or some other Officers or Persons, acting under this Act.

Where, under this Act, any Property comes to the Hands of any such Administrator General, Registrar, or other Official Administrator, he shall administer the same in accordance with the Provisions of this Act relating to Preferential Charges, and the other Provisions of this Act, and, subject thereto, according to the Law regulating his Office independently of this Act.

Where any Money coming, under this Act, to the Hands of any such Administrator General remains in his Hands after Discharge of all Debts and Liabilities, he shall remit the same to the Secretary of State for India in Council, at such Time and in such Manner as he directs, to be retained or to be paid over to the Secretary of State for War, as the Case may require, and to be disposed of, according to the Provisions of this Act, as the Residue or Part of the Residue of the Property of the Deceased.

An Administrator General shall not be entitled to take, and it shall not be lawful for him to take, a Per-centage on the Property of an Officer or Soldier dying on Service, exceeding *Three* per Centum on the gross Amount coming to his Hands if Preferential Charges have been previously paid, or on the gross Amount remaining in his Hands after Payment by him of Preferential Charges, as the Case may be.

Miscellaneous.

Money remitted not

23. Any Property of an Officer or Soldier dying on Service, coming, under this Act, to the Hands of any Paymaster or other Officer or Person

Person, shall not, by reason of so coming, be deemed Assets or Effects within the Province or at the Place in which that Paymaster or other Officer or Person is stationed or resides, and it shall not be necessary by reason thereof that Representation should be taken out in respect of that Property, in that Province or for that Place. to be Assets in Place where remitted to.

Where, under this Act, any such Property is to be paid or delivered over to the Representative of a deceased Officer or Soldier or other Person entitled to receive the same,—

if such Payment or Delivery is to be made in India, then the Military Secretary to the Government of the Presidency in which the Deceased was quartered,—

and if such Payment is to be made elsewhere than in India, then the Secretary of State for War, or the Secretary of State for India in Council, as the Case may be,—

may order that such Property be transmitted to any other Place where the same can be more conveniently paid or delivered over as aforesaid; and the Obedience to any such Order by any Paymaster or other Officer or Person in whose Hands such Property is, shall be a sufficient Discharge to him, and he shall not be liable in any Manner by reason of such Property having been in his Hands and having been transmitted under any such Order.

24. Nothing in this Act shall be deemed to prevent the Secretary of State for India in Council, on the Death of an Officer of Her Majesty's Indian Army, from deducting in the Pay Office from any Arrear of Pay due to the Deceased the Amount of any Arrears of Subscription due by the Deceased to the Military and Orphan Funds, or either of them. Deduction of Arrears of Subscription to Military and Orphan Funds.

25. The Personal Estate of an Officer or Soldier dying on Service in India, not exceeding *One hundred Pounds* after Payment of Preferential Charges, and administered and disposed of under this Act without Representation being taken out, shall not be liable to the Payment of any Duty either in India or in the United Kingdom; but this Provision shall not affect any Exemption from Duty existing independently hereof. Exemptions from Duty.

26. A Creditor, as such, shall not be deemed a Person entitled to take out Representation to the Deceased within the Meaning of this Part of this Act; nor shall a Creditor taking out Representation as such be entitled by virtue of such Representation to claim from the Secretary of State for War, or the Secretary of State for India in Council, any Part of the Property of the Deceased. Creditor administering not entitled to claim Property.

27. Where any original Will of an Officer or Soldier dying on Service comes to the Hands of the Secretary of State for War, or of the Deposit in Court of Probate, &c. of original

Wills in Hands of Secretary of State and Declarations of Intestacy.

Secretary of State for India in Council, and Representation under the same is not taken out, then the Secretary of State for War, or the Secretary of State for India in Council, as the Case may be, may cause the same to be deposited as follows:

Where the Domicil of the Testator was in England, or in India, or in any of Her Majesty's Colonies or Possessions Abroad, or in any Foreign Country, then in the Place for the Time being appointed in London or Middlesex for the Deposit of original Wills brought into the Court of Probate:

20 & 21 Vict. c. 77. s. 66.

Where the Domicil of the Testator was in Ireland, then in the Place for the Time being appointed in Dublin for the Deposit of original Wills brought into the Court of Probate:

20 & 21 Vict. c. 79. s. 71.

Where the Domicil of the Testator was in Scotland, then in the Office of the Commissary Clerk of the Commissary Court of the County of Edinburgh.

Where an Officer or Soldier dies on Service intestate, and under this Act any Residue of his Property comes to the Hands of the Secretary of State for War, or of the Secretary of State for India in Council, for Disposal, and Representation to the Deceased is not taken out, then the Secretary of State for War, or the Secretary of State for India in Council, as the Case may be, may, if it seems fit, cause a Declaration of the Intestacy of such Officer or Soldier to be deposited in the Place or Office where the original Will of such Officer or Soldier (if any) would be deposited as aforesaid.

In every such Case the Secretary of State for War, or the Secretary of State for India in Council, as the Case may be, may cause to be deposited together with such original Will or Declaration of Intestacy an Inventory showing the Personal Property of the Deceased, and the Application thereof, as far as the same may be known.

Where the original Will of any Officer or Soldier who has, before the Commencement of this Part of this Act, died on Service is in the Hands of the Secretary of State for War, or of the Secretary of State for India in Council, he may, if it seems fit, at any Time cause the same to be deposited in the Place or Office where the original Will of such Officer or Soldier would be deposited as aforesaid if he had died after the Commencement of this Part of this Act.

Every such original Will, Declaration of Intestacy, and Inventory shall be preserved and dealt with, and may be inspected, subject and according to any General or other Rules or Orders for regulating such Preservation, Dealing, and Inspection, and for fixing any Fees to be payable in respect thereof, as may be from Time to Time made in that Behalf by the Court, Judge, or other Authority empowered to make General or other Rules or Orders for like Purposes in relation to other Documents deposited in the same Place or Office.

PART

PART II.—Desertion and other Cases.

On Desertion, Committee of Officers to sell Effects, and pay Expenses.

28. In every Case of Desertion, such Committee of Officers as may be prescribed by Royal Warrant, according to the Circumstances of different Cases, herein-after called the Committee of Adjustment, shall immediately secure all such of the Deserter's Effects as—

Where the Desertion occurs in the United Kingdom, are in Camp or Quarters; and

Where the Desertion occurs out of the United Kingdom, are within the Station, Colony, or Command;

and shall forthwith make an Inventory thereof, and shall, within *Three* Months after the Desertion, sell or convert into Money such Parts of the Deserter's Effects as do not consist of Money, and thereout pay the Expenses attending the Execution of the Provisions of the present Section.

Application of Surplus.

29. The Surplus remaining after such Payment shall be liable to be applied in or towards Payment of any such Expenses and Debts incurred and owing by the Deserter as would, under Part I. of this Act, be Preferential Charges on his Personal Property in case he had died on Service, with the like Preference, in the like Order, and subject to the like Provision for Decision of Doubt or Difference, as would in that Case apply, as nearly as may be, mutatis mutandis.

The Committee of Adjustment shall apply the same accordingly, and then shall dispose of any Property remaining in their Hands according to Regulations laid down by Royal Warrant.

Absence without Leave.

30. For the Purposes of this Part of this Act, Absence without Leave for *Twenty-one* Days shall be deemed included in the Term Desertion.

Apprenticeship; Conviction for Felony.

31. The Provisions of this Part of this Act shall apply, as nearly as may be, mutatis mutandis, in the Case of a Soldier delivered up as an Apprentice, or convicted of Felony.

PART III.—Insanity.

In case of Insanity, Committee of Officers to secure Effects.

32. Where an Officer or Soldier is removed, put on Half Pay, or discharged, on the Ground of Insanity, such Committee of Officers as may be prescribed by Royal Warrant, according to the Circumstances of different Cases, herein-after called the Committee of Adjustment, shall immediately secure all such of his Effects as—

Where the Insanity occurs during Service in the United Kingdom, are in Camp or Quarters; and

Where the Insanity occurs during Service out of the United Kingdom, are within the Station, Colony, or Command.

 33. The

Liability of Effects to be applied as for Payment of Preferential Charges.

33. The Effects of such an Officer or Soldier shall be liable to be applied in or towards Payment of any such Expenses and Debts incurred and owing by him as would, under Part I. of this Act, be Preferential Charges on his Personal Property in case he had died on Service, with the like Preference, in the like Order, and subject to the like Provision for Decision of Doubt or Difference, as would in that Case apply, as nearly as may be, mutatis mutandis.

If Preferential Charges not paid, Power for Committee to sell and apply Proceeds.

34. If any Person who would, if such Officer or Soldier were dead, be entitled to take out Representation to him (otherwise than as a Creditor), or his Wife (if any), or any near Relative, pays in full the Expenses and Debts aforesaid, the Committee of Adjustment shall not further interfere in relation to the Property.

If such Payment is not made, then, within *One Month* after the Removal, putting on Half Pay, or Discharge, is known at the Quarters where the Effects are, the Committee of Adjustment may and shall sell or convert into Money such Parts of the Effects as do not consist of Money, and, after paying thereout the Expenses attending the Discharge of their Duties, shall pay thereout the Expenses and Debts aforesaid, and shall dispose of any Property then remaining in their Hands as may be prescribed by Royal Warrant, to the end that the same may be applied for the Benefit of the Officer or Soldier to whom it belongs.

Power for War or India Office to apply Officer's Half Pay, in case of Insanity, for his Benefit.

35. Where an Officer is put on Half Pay on the Ground of Insanity, the Secretary of State for War, or the Secretary of State for India in Council, as the Case may be, may, if it seems fit, pay to the Person charged with the Care and Maintenance of such Officer, all or any Part of his Half Pay, to be applied for his Care and Maintenance.

PART IV.—General Provisions.

Validity of Payments, Sales, &c. under this Act; and Indemnity to Officers and others acting under it.

36. Every Payment or Application of Money, and every Sale or other Disposition of Property, made by the Secretary of State for War, or by the Secretary of State for India in Council, or by any Committee of Adjustment, or by any Paymaster or other Officer or Person, in pursuance of this Act, or of any Royal Warrant for carrying this Act into effect, shall be good and valid as against all Persons whomsoever; and every such Secretary of State, and every Officer belonging to any such Committee, and every such Paymaster, Officer, or Person as aforesaid shall be, by virtue of this Act, absolutely discharged from all Liability in respect of the Money or other Property so paid, applied, or disposed of.

37. Her

37. Her Majesty may from Time to Time, by Warrant under the Royal Sign Manual, do all such Things as are herein-before directed or authorized to be done by Royal Warrant, and also prescribe such Regulations as may seem fit, for the better Execution of any of the Purposes of this Act. Further Regulations by Royal Warrant.

Every Royal Warrant made under this Act shall be laid before both Houses of Parliament within *Fourteen* Days after the making thereof, if Parliament is then sitting, and if not, then within *Fourteen* Days after the Commencement of the next Sitting of Parliament.

38. This Act shall, with respect to the making of any Royal Warrant under it, take effect *from its passing*, and in all other respects shall take effect from the *Time appointed for its Commencement in the Royal Warrant first made under it.* Commencement of Act.

SCHEDULE.

Enactments repealed.

Session and Chapter.	Title.	Extent of Repeal.
58 Geo. 3. c. 73. -	An Act for regulating the Payment of Regimental Debts and the Distribution of the Effects of Officers and Soldiers dying in Service, and the Receipt of Sums due to Soldiers.	Sections One, Two, and Three.
6 Geo. 4. c. 61. -	An Act to amend Two Acts; of the Fifty-eighth Year of His late Majesty, for regulating the Payment of Regimental Debts and the Distribution of the Effects of Officers and Soldiers dying in Service, and the Receipt of Sums due to Soldiers; and of the Fourth Year of His present Majesty, for punishing Mutiny and Desertion of Officers and Soldiers in the Service of the East India Company.	The whole.
11 Geo. 4. & 1 Will. 4. c. 41.	An Act to make further Regulations with respect to Army Pensioners.	Section Five, except as to Pension or Prize Money.
20 & 21 Vict. c. 66. -	An Act for punishing Mutiny and Desertion of Officers and Soldiers in the Service of the East India Company, and for regulating in such Service the Payment of Regimental Debts and the Distribution of the Effects of Officers and Soldiers dying in the Service.	Sections Sixty-one to Sixty-six, both inclusive.
26 & 27 Vict. c. 8.	An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters.	Sections Ninety-eight to One hundred and two, both inclusive.

LORDS AMENDMENTS

TO THE

REGIMENTAL DEBTS, &c. BILL.

Note.—*The Page and Line refer to the Bill* (141.) *as printed by the Lords.*

Page 3.

Line 4. Fill up the Blank with ("Six")

Line 5. Fill up the Blank with ("Eighteen Months")

Transpose Clauses 8 and 9 as amended.

Page 4.

Line 2. Leave out ("shall") and insert ("may")

Line 7. Leave out ("subject to the last foregoing Provision") and insert ("Provided that")

Leave out Clause 11.

Line 37. After ("where") insert ("the Death occurs elsewhere "than in India, or"); and after ("being") insert ("in the latter Case")

Lines 41 and 42. Leave out ("in India if any") and insert ("if "present at Head Quarters")

Page 5.

Line 3. Leave out ("in India")

Line 4. Leave out ("there")

Line 5. Leave out ("in India") and insert ("if present at Head "Quarters")

Line 7. } Leave out ("in India")
Line 9. }

Line 13. Leave out the First ("in India") and insert ("present "at Head Quarters"), and leave out the Second ("in "India")

Line 16. After ("thereof") insert ("so")

In same Line leave out in ("in India")

Page 11.

Line 2. Leave out ("within the Province or")

Line 5. Leave out ("in that Province or")

LORDS AMENDMENTS

TO THE

REGIMENTAL DEBTS, &c. BILL.

Ordered, by The House of Commons, *to be Printed,*
10 *July* 1863.

[Bill 226.]

Under 1 *oz.*

A

B I L L

INTITULED

An Act to provide for an alphabetical Index to the Register of Voters in Counties in England and Wales.

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Clerks of the Peace to prepare alphabetical Lists of Voters for Counties.

1. From and after the last Day of November in every Year the Clerk of the Peace of every County shall, in addition to the List of Voters for each County, Riding, or Division of a County, to be prepared by him as directed by Sixth of Victoria, Chapter Eighteen, Section Forty-seven, prepare an alphabetical List of the Names of such Voters, with their proper Numbers on the Register, and append the same in small Type to such Register.

6 Vict. c. 18. and this Act to be construed together.

2. The Act passed in the Sixth Year of Her present Majesty, to amend the Law for the Registration of Persons entitled to vote, and to define certain Rights of Voters, and to regulate certain Proceedings in the Election of Members to serve in Parliament for England and Wales, and the present Act, shall be construed as One Act.

[Bill 25.]

19 *May* 1863. 26 Vict.

A

B I L L

FOR

The further Amendment of the Law relating to the Removal of poor Persons, Natives of Ireland, from England.

WHEREAS it is expedient that the Law for the Removal of poor Persons, Natives of Ireland, from England, should be amended: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. That so much of the Fourth Clause of the Act of the Twenty-fourth and Twenty-fifth Years of the Reign of Her Majesty, Chapter Seventy-six, as authorizes the Conveyance of any poor Person to any other Place than that mentioned in the Warrant of Removal shall, at the Expiration of *One Month* from the Date hereof, be repealed. Repeal of the Power to remove to any other Place than that mentioned in the Warrant.

2. Section Three of the Act of the Eighth and Ninth Years of Her Majesty, Chapter One hundred and seventeen, shall be deemed to have applied and to apply to the Kingdom of Ireland as well as to England. 8 & 9 Vict. c. 117. s. 3. extended to Ireland.

3. Section Four of the same Act is hereby repealed. 8 & 9 Vict. c. 117. s. 4. repealed.

Penalty imposed upon wilful Desertion of Pauper on the Journey.

4. Any Person being charged with the Execution of a Warrant, duly issued under the Authority of the said Acts or either of them, who shall wilfully desert any Person mentioned therein before he or she shall have been conveyed to the Place of Destination, shall be guilty of a Misdemeanor, and upon Conviction thereof shall be liable to a Fine not exceeding *Pounds*, and, in default of Payment, to Imprisonment for a Term not exceeding *Three* Months.

Penalty for violating 24 & 25 Vict. c. 76. s. 6.

5. Any Person guilty of violating the Provision contained in the Sixth Section of the Act of Twenty-fourth and Twenty-fifth Victoria, Chapter Seventy-six, shall be liable to a Penalty not exceeding *Five Pounds*, to be recovered on a summary Conviction before Two Justices or a Police or Stipendiary Magistrate, and the Offence shall be deemed to have been committed at the Port where the poor Person shall be landed.

New Forms of Warrant supplied.

6. Instead of the Forms set forth in the Schedule (C.) annexed to the said Act of the Eighth and Ninth Victoria, Chapter One hundred and seventeen, the Forms contained in the Schedule hereunto annexed, or to the like Effect, shall be sufficient in regard to poor Persons removed to Ireland, with such Changes in the Names and Descriptions of Persons and Places as the Circumstances of the Case may render necessary; and except where this Act makes any Alteration it shall be deemed to be incorporated with Acts herein referred to.

SCHE-

SCHEDULES.

I.

FORM of WARRANT where the Removal is to be made to the Place of Birth or Residence.

To the Guardians of the Poor of the[1] Union [*or* Parish], in the Count of

To the Guardians of the Poor of the[2] Union, in the Count of in the Kingdom of Ireland.

County[3] of (to wit.)

AT a Petty Session of Her Majesty's Justices of the Peace for the County[3] of holden in and for the Division of in the said County[3] at on the Day of in the Year of our Lord One thousand eight hundred and sixty before Us, the undersigned, Her Majesty's Justices of the Peace for the said County[3].

WHEREAS Complaint is now made by the Guardians of the Poor of the Union [*or* Parish] in the Count of that[4] hath become and is now chargeable to the Parish[5] [*of in the said Union ;]*

And Whereas the said[4] having been brought before Us, and Application having been made to Us, in Petty Sessions assembled, by[6] the[7] [Relieving] Officer of the said Guardians, on their Behalf, We have made due examination, on Oath, and find that the said[4] is of the reputed Age of Years, and was born in the Kingdom of Ireland, [and last resided for the space of Three Years *] in the Parish of in the County of now contained in the said Union of[2] and hath not a Settlement in England, and is not otherwise exempt from Removal from the said[1] Union [*or* Parish] * [And that he hath a Wife, named of the reputed Age of Years, and[8] Child named

---

[1] *Insert Name of the Union or Parish in England.*

[2] *Insert Name of the Union in Ireland.*

[3] Riding *or* Division, *or* City, *or* Borough.

[4] *Name of Pauper.*

[5] *Or* Township.

[6] *Insert Name of Applicant.*

[7] *If the Applicant be not a Relieving Officer, erase* Relieving.

[8] *If more than One insert the Number.*

* *Erase this Passage when it is inapplicable.*

NOTE.—A Copy of this Warrant is to be given to the Person, if only One, or to the Head of the Family, if there be several Persons about to be removed by virtue of it; and a Copy is to be sent by Post forthwith to the Clerk of the Board of Guardians of the Union in Ireland to which the poor Person is ordered to be removed.

of the reputed Age of
which Child [1] not exempt from Removal from the said Union [or Parish].

And We have seen the said [2] †[and his said Wife and Child], and are satisfied that the said [2] †[and his Wife and Child], [1] in such a State of Health as not to be liable to suffer bodily or mental Injury by the Removal:

THESE are, therefore, to require you, the Guardians of the Poor of the Union [*or* Parish], to cause the said [2] [with his Family], to be safely conveyed to the said Union of [3] and to be delivered at the Workhouse of such Union.

Given under our Hands and Seals, at the Sessions aforesaid

_____ (L. S.)
_____ (L. S.)
_____ (L. S.)

MEMORANDUM.

Where the Warrant is issued by a Police Magistrate, this Form must be modified accordingly.

II.

FORM of WARRANT when the Removal is to be made to some Place other than that of the Birth or Residence.

To the Guardians of the Poor of the [4] Union [*or* Parish], in the Count of

To the Guardians of the Poor of the [3] Union, in the Count of in the Kingdom of Ireland.

County [5] of (to wit)

AT a Petty Session of Her Majesty's Justices of the Peace for the County [5] of holden in and for the Division of in the said County [5] at on the Day of in the Year of our Lord One thousand eight hundred and sixty before Us, the undersigned, Her Majesty's Justices of the Peace for the said County. [5]

---

[1] *Insert* is *or* are.
[2] *Name of Pauper.*
[3] *Insert the Name of the Union in Ireland.*
[4] *Insert Name of the Union in England.*
[5] Riding, *or* Division, *or* City, *or* Borough.

† *Where the Head of the Family is a Woman, or a Man without Family, this Passage must be modified accordingly.*

NOTE.—A Copy of this Warrant is to be given to the Person, if only One, or to the Head of the Family, if there be several Persons about to be removed by virtue of it; and a Copy is to be sent by Post forthwith to the Clerk of the Board of Guardians of the Union in Ireland to which the poor Person is ordered to be removed.

WHEREAS Complaint is now made by the Guardians of the Poor of the Union [*or* Parish], in the Count of that[1] hath become and is now chargeable to the Parish[2] [*of in the said Union;]

And whereas the said[1] having been brought before us, and Application having been made to us, in Petty Sessions assembled, by[3] the [Relieving[4]] Officer of the said Guardians, on their Behalf, We have made due Examination, on Oath, and find that the said[1] is of the reputed Age of Years, and was born in the Kingdom of Ireland, *but we are not able, upon the Evidence before us, to ascertain the Place in that Country of h Birth, or that he hath resided for the Space of Three Years in any Place therein,*

and we find that he hath not a Settlement in England, and is not otherwise exempt from Removal from the said[2] Union [*or* Parish].

†[And that he hath a Wife named of the reputed Age of Years, and[5] Child named of the reputed Age of

which Child [6] not exempt from Removal from the said Union [*or* Parish].

And we have seen the said[1] †[and his said Wife and Child], and are satisfied that the said[1] †[and his Wife and Child][6] in such a State of Health as not to be liable to suffer bodily or mental Injury by the Removal.

THESE are, therefore, to require you, the Guardians of the Poor of the[2] Union [*or* Parish], to cause the said[1] [with his Family], to be safely conveyed to the Port of in the said Union of[2] and to be delivered at the Workhouse of the said Union, [7]which Port is in our Judgment, under the Circumstances of the Case, most convenient.

Given under our Hands and Seals, at the Sessions aforesaid,

_____ (L.S.)

_____ (L.S.)

_____ (L.S.)

MEMORANDUM,

Where the Warrant is issued by a Police Magistrate this Form must be modified accordingly.

---

[1] *Name of Pauper.*

[2] *Or* Township.

[3] *Insert Name of Applicant.*

[4] *If the Applicant be not a Relieving Officer, erase* Relieving.

[5] *If more than One insert the Number.*

[6] *Insert* is *or* are.

[7] *Where the Pauper hath not resided Twelve Months in Ireland, erase the following Words, and add,* to which Port, we, with the Consent of the Guardians of the said Union of [2] think it fit that the said [1] should be sent.

* *Or erase the Passage between Asterisks, and add,* and has not been absent therefrom more than Twelve Months.

† *Where the Head of the Family is a Woman, or a Man without a Family, this Passage must be modified accordingly.*

A

BILL

For the further Amendment of the Law relating to the Removal of poor Persons, Natives of Ireland, from England.

(*Prepared and brought in by Mr. Villiers and Mr. Bruce.*)

Ordered, by The House of Commons, *to be Printed*, 19 *May* 1863.

[Bill 140.]

Under 1 *oz.*

LORDS AMENDMENTS

TO THE

REMOVAL OF IRISH POOR BILL.

Note.—*The Page and Line refer to the Bill* (182.) *as printed by the Lords.*

Page 2.

Line 24. Leave out the First ("any") and insert ("the")

Line 25. Leave out the First ("any") and insert ("the"), and leave out ("or Persons")

Line 26. Leave out ("Irish") and after ("Commissioners") insert ("for Ireland")

Line 27. Leave out ("Case, and of any")

Line 28. Leave out ("or Persons"), also leave out ("or "was") and insert ("legally"), and leave out ("Union or"), and after ("Parish") insert ("or "Township")

Line 29. Leave out ("or were not")

Line 32. Leave out ("or") and insert ("and")

Line 33. Leave out ("or Persons")

Line 37. Leave out ("Person or Persons so removed"), and insert ("Guardians so aggrieved")

Line 38. Leave out ("holden") and insert ("held"), and after ("Borough") insert ("within which the Parish or "Township")

Line 39. Leave out ("held") and insert ("is situate")

Line 42. Leave out ("or otherwise")

Page 3.

Line 6. Leave out ("is") and insert ("be")

Line 8. Leave out ("of the actual") and insert ("and"), and leave out ("and Charges")

Line 10. Leave out ("Expense of the")

Line 11. Leave out ("or Persons"), and leave out ("the Costs "of")

Line 11. and Line 12. Leave out ("or Persons")

Line 12. Leave out ("Union or"), and after ("Parish") insert ("or Township")

Line 12. and Line 13. Leave out ("he or they hath or have "been removed"), and insert ("the Removal was "made")

Line 14. Leave out ("the same") and insert ("such Costs and "Expenses")

Line 15. Leave out ("Person or Persons") and insert ("Guardians")

Line 16. Leave out ("brought") and insert ("made") and leave out ("him or")

Line 19. Leave out ("give or")

Line 22. Leave out ("Persons") and insert ("Guardians")

Line 24. After ("incurred by") insert ("them"), and after ("on") insert ("their")

Line 24. and Line 25. Leave out ("of such Person or Per-"sons")

Line 26. Leave out ("in") and insert ("of")

Line 27. After ("such") insert ("poor")

Line 28. Leave out ("or Persons"), and leave out ("him or "them") and insert ("such poor Person"), and leave out ("Union or")

Line 29. After ("Parish") insert ("or Township")

A

BILL

FOR

Remedying certain Defects in the Law relating to the Removal and Punishment of Prisoners.

WHEREAS it is expedient to amend the Law for the Removal of Prisoners from one Prison to another, in order that they may be rendered amenable for Misconduct committed by them immediately before and during their Journey;—and that the Process for transferring any Convict whose Licence is forfeited during Detention in a Prison to the Prison from which he was released on Licence may be simplified;—and that it may not be necessary in Scotland to reconvey to the Prison from which they had been brought any Prisoner adjudged by any Circuit Court of Justiciary to a Sentence which is to be carried into effect in a Government Prison: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. When any Prisoner shall hereafter be received into a Prison by Removal from another Prison, it shall be lawful, under the Rules in force in the Prison into which he is so received, to punish him for any Misconduct during Re- Prisoners may be punished for Misconduct during Re-

moval from one Prison to another, in the Prison into which they are received.

Misconduct which he may have committed in the Course of such Removal, or within the Period of *Twenty-four* Hours before the Commencement of the same, as if such Misconduct had been committed by him within the Prison into which he is so received.

Notice of Revocation of Licence to be transmitted to Governor of Prison in which Convict detained and an Order for Removal.

2. When, under the Provisions contained in an Act passed in the Sixteenth and Seventeenth Years of the Reign of Her present Majesty, intituled "An Act to substitute in certain Cases other Punishments "in lieu of Transportation," and an Act passed in the Twentieth and Twenty-first Years of the Reign of Her said Majesty, intituled "An "Act to amend the Act of the Sixteenth and Seventeenth Year of "Her Majesty, to substitute in certain Cases other Punishments in "lieu of Transportation," it shall please Her Majesty to revoke a Licence granted to any Convict sentenced to Transportation or Penal Servitude, who shall be undergoing Detention in any Prison, it shall be lawful for One of Her Majesty's Principal Secretaries of State to transmit to the Governor of such Prison an Intimation under his Hand and Seal of the Revocation of such Licence, and also an Order under his Hand for the Removal of such Convict from the Prison in which he is detained to the Prison from which he was released by virtue of the Licence; and all Laws now in force for the Removal of Convicts under Sentence of Transportation or Penal Servitude by Orders signed by such Secretary of State shall apply to such Order.

Person charged with Removal of Convict to deposit with Governor of Prison the Intimation of Revocation of Licence.

3. The Person having Charge of the Removal of such Convict shall, on arriving at the Prison to which he is removed, deposit with the Governor or Officer in charge of such Prison the Intimation by the Secretary of State of the Revocation of such Convict's Licence; and such Governor shall, within *Eight* Days thereafter, transmit to Her Majesty's Principal Secretary of State for the Home Department an Intimation of the Reception of such Convict, in the Form or as nearly as may be in the Form of Schedule (A.) to this Act annexed.

Sentences of Penal Servitude, &c. to be carried into effect by Removal of Offender from the Bar to the chief Local Prison.

4. When by any Sentence of a Circuit Court of Justiciary an Offender is sentenced to Penal Servitude, or to Imprisonment for a Period of *Nine* Months or upwards, such Sentence shall be deemed to be, and is hereby declared to be, a Sentence which shall be carried into effect by the Removal of such Offender from the Bar to the chief Local Prison situated in the Town in which such Circuit Court of Justiciary is then sitting, and by his Detention in such Prison until he is removed therefrom in due Course of Law, unless such Sentence shall contain a Clause that such Offender shall not be detained

detained in such Prison, or shall only be detained therein for a Length of Time specified in the Sentence.

5. This Act may be cited as the "Removal and Punishment of Prisoners Amendment Act, 1863." Short Title.

SCHEDULE (A.)

Form of Intimation by Governor to Secretary of State of Reception of Convict whose Licence has been revoked.

I certify that on the Day of in the Year there was received into the Prison of a Male [*or* Female] Convict, named who on the Day of in the Year had been sentenced to Years [of Transportation, *or* of Penal Servitude, *as the Case may be*,] and who was released from the said Prison on Order of Licence, bearing Date the Day of in the Year of the Revocation of which Licence an Intimation by One of Her Majesty's Principal Secretaries of State, bearing Date the Day of in the Year has been deposited with me; and I certify, on Soul and Conscience, that the Person brought to the Prison along with such Intimation is the same Convict who was released from this Prison under the foresaid Licence.

Date of Certificate. (*Signature of Governor.*)

Removal and Punishment of Prisoners.

A

BILL

For remedying certain Defects in the Law relating to the Removal and Punishment of Prisoners.

(*Prepared and brought in by The Lord Advocate and Sir George Grey.*)

Ordered, by The House of Commons, *to be Printed*, 29 *June* 1863.

[Bill 194.]

Under 1 *oz.*

A

BILL

TO

Permit the Registration of Roman Catholic Marriages in Ireland.

WHEREAS by an Act passed in the Seventh and Eighth Year of the Reign of Her most Gracious Majesty, intituled "An Act for Marriages in Ireland, and for "registering such Marriages," Provision is made for the Registration of Marriages celebrated under the said Act; but such Provision does not extend to Marriages celebrated by Roman Catholic Clergymen, whereby the Roman Catholic Subjects of Her Majesty in Ireland are deprived of any Opportunity of publicly registering their Marriages, and of thereby preserving a Proof of such Marriages, and it is expedient to provide a Remedy for the same: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; that is to say, Preamble.

1. This Act may upon all Occasions and for all Purposes be cited as "The Marriage Registration (Ireland) Act, 1863." Short Title.

2. The Expression "Irish Marriage Act," when used in this Act, shall mean the herein-before recited Act for Marriages in Ireland, and for registering the same. Interpretation.

[Bill 73.]

3. Whenever,

Marriages celebrated in Ireland by a Roman Catholic Clergyman may be registered.

3. Whenever, after the *passing of this Act*, any Marriage shall be celebrated in Ireland by a Roman Catholic Clergyman, and a Registration of such Marriage shall be desired, under the Provisions of this Act, such Marriage may be registered in manner following; that is to say, there shall be prepared, at the Time of or immediately after the Celebration of such Marriage, a Memorandum or Certificate of such Marriage in the Form in the Schedule to this Act annexed, and containing the Particulars therein specified, and which Memorandum or Certificate shall be signed by the Parties to such Marriage, and also by *Two* Witnesses present thereat, and by the Clergyman celebrating the same; and such Clergyman may, at any Time within *Three* Months after the Celebration of such Marriage, transmit or cause to be transmitted such Memorandum to the Registrar General; and such Memorandum or Certificate shall be kept by the Registrar General among the Records of his Office, and shall, for all Purposes of the Irish Marriage Act, and for all Purposes of Evidence, be deemed to be a Register Book within the Meaning of such Act.

Registrar General to prepare Forms of Certificates.

4. The Registrar General shall cause to be prepared and printed such and so many Forms of such Certificates as may be necessary to be supplied to any Roman Catholic Clergyman desiring the same; and every such Form may contain One or more Certificates of Marriage, to be filled up and signed in the Manner herein-before mentioned.

No Certificate to be received by Registrar General unless a Certificate, signed by some Archbishop or Bishop of Roman Catholic Church, be annexed thereto.

5. Provided always, That no such Certificate or Certificates shall be received by the Registrar General unless there be annexed thereto a Certificate signed by some Archbishop or Bishop of the Roman Catholic Church officiating in Ireland, stating that he has Reason to believe that the Marriage or Marriages therein mentioned were duly celebrated as in such Certificates stated, according to the Rules and Rites of the Roman Catholic Church.

Copies of Certificates to be entered in Books in Registrar General's Office.

6. Copies of all such Certificates under this Act shall be entered in separate Books in the Registrar General's Office under the Care of a Person appointed for that Purpose, who shall act under the Superintendence and Control of the Registrar General, and such Books shall be known as the Register Books of Roman Catholic Marriages, and separate Entries shall be kept of the same, and Copies of the Entries in such last-mentioned Books shall be given, certified, and received in Evidence in like Manner to all Intents and Purposes as is provided by the Seventieth and Seventy-first Sections of the Irish Marriage Act.

7. Every

Certificates to be conclusive Evidence.

7. Every such Certificate so deposited in the Registrar General's Office shall be for all Purposes relating to such Marriage conclusive Evidence that the Person celebrating such Marriage was at the Time of celebrating such Marriage a Priest in Holy Orders of the Church of Rome, and shall also be primâ facie Evidence that the Parties to such Marriage were Persons professing the Roman Catholic Religion.

Persons committing certain Offences guilty of Felony.

8. Every Person shall be guilty of Felony who shall commit any of the following Offences; that is to say,

Any Person who shall wilfully make any false Statement in any Certificate required or authorized by this Act;

Or who shall sign any such Certificate, knowing it to be false, or to contain any false Statement;

Or who shall transmit or cause to be transmitted to the Registrar General any such Certificate which he shall know to contain any false Statement;

Or who shall fraudulently destroy, erase, or in any Manner alter any such Certificate or any Portion thereof;

Or who shall forge the Signature of any Person to any such Certificate.

Act and Irish Marriage Act to be read together.

9. This Act and the Irish Marriage Act shall be read together as One Act.

SCHEDULE.

CERTIFICATE of Roman Catholic Marriages celebrated in the Parish of Cloyne, Barony of Imokilly and County of Cork.
To be transmitted to the Registrar General.

Date.	Names.	Age.	Condition.	Rank.	Residence.	Father's Name.	Father's Rank.	Place of Celebration.

Married according to the Rites and Rules of the Roman Catholic Church, this Day of

By me,

This Marriage was solemnized between us

In the Presence of us

I believe that the Marriages mentioned in the above Certificates have been duly celebrated as therein mentioned, according to the Rules and Rites of the Roman Catholic Church.

Archbishop or Bishop.

A

BILL

TO

Reduce the Duty on Rum in certain Cases.

WHEREAS by an Act passed in the Eighteenth and Nineteenth Years of Her Majesty's Reign, Chapter Thirty-eight, Spirit of Wine is allowed to be methylated Duty-free, and it is expedient to allow Foreign and Colonial Rum to be also methylated, on Payment of the reduced Duty herein-after mentioned: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

1. It shall be lawful for the Commissioners of Customs to permit and authorize any licensed Rectifier of Spirits, or any Person who shall be duly licensed under the said recited Act to make or mix Methylated Spirits, to mix in the Customs Warehouse, and under such Conditions and Regulations as the said Commissioners shall direct, Foreign or Colonial Rum of not less Degree of Strength than *Twenty* per Cent. over Proof, and in a Quantity not less at One Time than the Contents of the whole Cask in which the same shall have been imported, with not less than *One Ninth* of its Bulk Measure of Wood Naphtha or Methylic Alcohol, or with such other Foreign and Colonial Rum may be methylated in Customs Warehouse.

other Article or Substance as in the said recited Act is mentioned, and thereupon such Mixture shall be allowed, chargeable only with the reduced or differential Duty herein-after mentioned, for Use for such Purposes and in such Manner as is allowed by the said recited Act, or any Act amending the same, with regard to Methylated Spirit: Provided that no such Rum shall be so mixed as aforesaid until Payment shall have been made to the said Commissioners of Customs of the Difference between the Duty of Customs chargeable on the Importation of such Foreign and Colonial Rum respectively and the Duty of Excise chargeable on Spirits distilled in the United Kingdom.

Wood Naphtha to be provided by Commissioners of Inland Revenue, and Rum, when mixed, to be denominated Methylated Spirit.

2. All Wood Naphtha or Methylic Alcohol, or other such Article or Substance as aforesaid, to be mixed with such Rum, shall be provided by the Commissioners of Inland Revenue for and at the Expense of the Person proposing to make such Mixture, and the said Mixture shall be denominated Methylated Spirit, and shall be removed, under the Certificate of the proper Officer of Customs, to some approved Store belonging to a Rectifier of Spirits or to a licensed Maker of Methylated Spirit.

Provisions of 18 & 19 Vict. c. 38. and 24 & 25 Vict. c. 91. applied to Spirits methylated under this Act.

3. All the Powers, Provisions, Clauses, Regulations, Forfeitures, Pains, and Penalties contained in the said recited Act and in the Act passed in the Twenty-fourth and Twenty-fifth Years of Her Majesty's Reign, Chapter Ninety-one, in relation to Methylated Spirit, shall be applied and put in force with respect to all Spirits mixed under the Provisions of this Act.

Methylated Spirit may be exported.

4. It shall be lawful to export any Methylated Spirit mixed under the Provisions of this Act or of the said first-recited Act, under such Regulations as the Commissioners of Customs or Inland Revenue shall respectively make in that Behalf.

A

BILL

FOR

Confirming a Scheme of the Charity Commissioners for the Management of the Charities in the Borough of Ruthin in the County of Denbigh, comprising the Hospital of Christ and its subsidiary Endowments, the Grammar School, Edward Lloyd's Foundation, and Bishop Goodman's Charity.

Preamble.

10th Report, dated 27th Feb. 1863.

WHEREAS the Charity Commissioners for England and Wales, in their Report to Her Majesty of their Proceedings during the Year One thousand eight hundred and sixty-two, have reported that they have provisionally approved and certified (among other Schemes for the Application and Management of Charities) a Scheme for "The Charities in the Borough of Ruthin in the County of Denbigh, comprising the Hospital of Christ and its subsidiary Endowments, the Grammar School, Edward Lloyd's Foundation, and Bishop Goodman's Charity," and such Scheme is set out in the Appendix to their said Report: And whereas it is expedient that the said Scheme, as the same is set out in the Schedule to this Act, should be confirmed: Be it enacted by the Queen's most

Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Scheme confirmed.

1. The said Scheme shall be confirmed and take effect.

SCHE-

SCHEDULE.

SCHEME for the REGULATION and MANAGEMENT of the CHARITIES known as—

The HOSPITAL OF CHRIST, and its subsidiary endowments, comprising the gifts of—

Sir Robert Salusbury,
Rice Williams,
Peter Davis,
Hugh Pugh,
John Spire,
Middleton and Jones
J. Madock,
Grace Parry,
J. S. Hughes,

The GRAMMAR SCHOOL,
EDWARD LLOYD'S FOUNDATION, and
BISHOP GOODMAN'S CHARITY,

in the borough and parish of Ruthin in the county of Denbigh, and elsewhere.

SCHEME.

2. The Charities shall be administered by one body of Governors, six of whom (being the several official persons next herein-after mentioned) shall be distinguished as the "the official Governors," and the remainder of whom shall be distinguished as "the non-official Governors."

The Lord Bishop of St. Asaph;
The Lord Bishop of Bangor;
The Dean of St. Asaph;
The Mayor of Ruthin;
The Warden of the Hospital of Christ in Ruthin; and
The Master of the Grammar School in Ruthin,

respectively, and their respective successors for the time being, in right and during tenure of their respective offices, shall be the official Governors; and the following eight persons shall be the first non-official Governors, viz.

The Right Hon. Spencer Bulkeley Lord Newborough;
Townsend Mainwaring, of Galtfoenan, Esq.;
Richard Miles Wynne, of Egarth House, Esq.;
John Jesse, of Llanbedr, Esq.;
The Rev. Edward Thelwall, of Llanbedr-Dyffryn-Clwyd, clerk;
The Rev. James Jones, of Llanfwrog, clerk;
The Rev. Francis Owen, of Efeenechtyd, clerk; and
The Rev. Reginald Hughes, of Llansantffraid-Glyn-Ceiriog, clerk.

The said Charities, as reconstituted and regulated by this scheme, shall be called "The Hospital, Grammar School, and Exhibition Charities of Ruthin."

2. The legal estate in all lands, tenements, and hereditaments belonging to or held in trust for the said Charities respectively shall be vested in "the official Trustee of Charity Lands," and his successors, in trust for the several entitled thereto.

All sums of stock and money, and all securities for money, belonging to the said Charities respectively, shall be transferred to and vested in "the official Trustees of Charitable Funds," in trust for the respective Charities entitled thereto.

3. The full permanent number of non-official Governors shall be six.

Any non-official Governor who shall become bankrupt or incapacitated to act, or who shall not attend any meeting of the Governors during a consecutive period of two years, shall in any of such cases immediately cease to be a Governor; and when the number of non-official Governors shall thereby, or by death or resignation, be reduced to less than six, a new non-official Governor, being a person duly qualified by his attainments, station in life, and place of residence, to discharge the duties of his office, shall be appointed at the next half-yearly meeting of the Governors which shall be held after the lapse of one calendar month from the occurrence of such vacancy, by a resolution to be forthwith notified by them, with all proper information, to the Charity Commissioners for England and Wales, at their office in London; but no such appointment shall be valid until the same shall have been approved by the said Commissioners, and their approval certified under their official seal.

4. The Governors shall hold meetings in some convenient place at Ruthin or elsewhere, as often as may be found necessary for the management of the Charities, and there shall be two regular half-yearly meetings, which shall be held respectively on the second Wednesday in March and the second Wednesday in September in each year, unless the Governors shall at some previous meeting fix some other convenient day in the same months respectively for the holding of any such half-yearly meeting.

The Lord Bishop of St. Asaph, or in his absence the Lord Bishop of Bangor, if present, shall be the chairman at every meeting. In the absence of both Bishops, the Governors present shall elect one of their number to be chairman. Five Governors shall form a quorum at any meeting.

Any two Governors may summon a special meeting, giving ten days' previous notice in writing to the other Governors, and specifying in such notice the object of such meeting, and no other business than that so specified shall be transacted at any such meeting. All matters and questions shall be determined by the majority of the Governors present at any meeting, and in case of equality of votes the chairman shall have a double or casting vote.

5. A minute book and proper books of account shall be provided by the Governors, and kept in some convenient and secure place of deposit to be provided or appointed by them for that purpose, and minutes of the entry into office or the appointment of every new Governor, and of all proceedings of the Governors, shall be entered in the minute book.

6. Full and separate accounts shall be kept of the receipts and expenditure of the Governors in respect of the Hospital, the Grammar School, and Exhibition Charities, in the books to be provided for that purpose; and such accounts shall be examined and passed annually at the March meeting, and signed by the Governors then present.

7. The

7. The Governors shall appoint and employ a person as clerk and treasurer, at an annual salary to be fixed from time to time by the Governors, with the approbation of the Charity Commissioners, and to be paid rateably out of the income of the Charities, exclusive of the Grammar School; and such person shall prepare and send all requisite notices, and attend the meetings of the Governors, and keep the minutes of the proceedings at such meetings; and he shall also keep the accounts of the Charities, and shall receive the rents and income, and make the several payments thereout, under the immediate control and superintendence of the Governors, who shall be responsible for the due application by him of all such monies, and he shall discharge such other duties connected with the Charities as shall be properly required of him by the Governors.

8. All the estates and property of the Charities not required to be retained or occupied for the purposes thereof shall be let and otherwise managed by the Governors, and in every case public notice of the intention to let any land or other property shall be given by the said Governors in the said parish of Ruthin, and also in any different parish or parishes in which such land or property shall be situate, in such manner as they shall consider most effectual for giving full publicity to such intention, at least three weeks previously, and no lease shall be granted in reversion, or for more than seven years certain, or for less than the improved annual value at rack rent, without the sanction of the Charity Commissioners or a competent court.

9. Any money arising from the sale of timber or from any mines or minerals on the Charity estate shall be treated as capital, and invested in the Government funds, in the name of the official trustees of charitable funds, in trust for the Charities, except in any special cases in which the Governors may be authorized by the Charity Commissioners for England and Wales to apply such money or any part thereof as income.

10. The Governors shall, out of the yearly income of the property comprised in the First Schedule hereto annexed (being that derived from Bishop Goodman's Charity), pay the annnal sum of *thirty pounds* in equal moieties, at Lady Day and Michaelmas, in respect of Bishop Goodman's gift forthe poor of Ruthin, unto the Trustees of the Charities of the town of Ruthin, to be appointed according to a scheme to be prepared by the Charity Commissioners for England and Wales; and the same yearly sum shall be applied by the said Trustees, according to the provisions of such scheme, for the benefit of the poor of Ruthin.

11. The further yearly sum of *seventy pounds* shall be applied by the Governors out of the annual income of the said property comprised in the said First Schedule, in binding out as apprentices, or in otherwise advancing in the world, in such manner and subject to such regulations as shall be prescribed by the said Governors, young poor persons of good character of either sex, born in Ruthin, or being the children of poor persons who shall have been resident in that parish for a period of not less than three years next before such binding or advancement. The selection of poor persons under this provision shall be made in all cases by the Governors at some meeting of their body, due regard being had to the respective characters and other qualifications of the applicants.

12. The further yearly sum of *sixty pounds* shall be set apart by the Governors out of the income of the said property comprised in the said First

Schedule, and shall be carried by them to the account of "The Exhibition Endowment" herein-after mentioned.

13. The residue of the said yearly income of the property comprised in the said First Schedule shall be carried by the Governors to the account of "The Hospital Endowment" herein-after mentioned.

14. The Governors shall pay *one third part* of the clear yearly income of the property comprised in the second part of the Second Schedule hereunto annexed, and distinguished as Pugh's Gift, unto the rector of Llanbedr, and one other like *third part* of the same income unto the rector of Llanfwrog, to be held and applied by the said rectors respectively upon the trusts of the will of the Rev. Hugh Pugh.

15. The remainder of the clear yearly income of the property comprised in the said Second Schedule (being that derived from the endowments of Dean Goodman and others for the benefit of the Hospital), together with the residue of the income of the property in the said First Schedule, which shall remain after the several annual payments aforesaid, shall constitute "The Hospital Endowment," and shall be applied by the Governors for the purposes of the Hospital herein-after mentioned, in accordance with the provisions of this scheme

15. The property comprised in the Third Schedule hereunto annexed (being that belonging to the Grammar School) shall constitute "The Grammar School Endowment," and shall be held and applied by the said Governors in trust for the purposes of the Grammar School herein-after mentioned, subject to and in accordance with the provisions of this scheme.

16. The property comprised in the Fourth Schedule hereunto annexed (being that derived from Edward Lloyd's Foundation), shall, together with the yearly sum of *sixty pounds* mentioned in the 12th clause of this scheme, constitute "The Exhibition Endowment," and shall be held and applied by the Governors for the purposes of the Exhibition Charity herein-after mentioned, subject to and in accordance with the provisioas of this scheme.

As to the Hospital.

17. The Governors shall, as soon as conveniently may be, cause the present hospital buildings to be reconstructed, according to plans to be approved by the Charity Commissioners, and shall appropriate to that object, with the like approval, the cash balances in hand, and the whole or any necessary part of the sum of 583*l.* 16*s.* consols, now standing to the credit of Bishop Goodman's Charity.

The hospital building and the appurtenances shall be used only for the purposes of the Charity, and shall be kept in repair and insured against fire by the Governors out of the income of the Hospital Endowment.

18. The establishment of the Hospital shall consist of a warden and 12 almspeople, of whom 10 shall be poor men, to be called "Brethren," and two shall be poor women, to be called "Sisters."

19. The warden, who shall be appointed as heretofore, shall discharge the clerical duties hitherto incident to his office or customarily performed by him, and shall be amenable to the ordinary jurisdiction of the bishop of the diocese in respect thereof.

The warden shall reside in the house in Ruthin known as "The Cloisters," which, with the appurtenances, shall be kept in repair by him, and he shall in respect

respect thereof be subject to the same liabilities, and enjoy the same privileges, as a parochial incumbent in respect of his parsonage or vicarage house.

20. The Governors shall pay to the warden, out of the income of the Hospital Endowment, by equal half-yearly payments, the annual stipend or sum of *three hundred pounds*, clear of all deductions, except for property or income tax. But whenever there shall be any surplus income of the said Hospital Endowment, after providing for and satisfying the several payments and objects directed or contemplated by this scheme, such surplus shall be applied by the Governors in augmenting the warden's stipend to an amount not exceeding in any year the sum of *four hundredpounds*.

21. This scheme shall not alter or affect the relative rights or interests of the warden of the Hospital, and the Reverend Edward Hugh Davies, the present stipendiary curate of Llanrhydd, during the tenure of the said curacy by him, but from and after the avoidance of such curacy by the said Edward Hugh Davies, the warden of the said Hospital for the time being shall be deemed to be the incumbent or perpetual curate of the united parishes of Ruthin and Llanrhydd, subject in all respects as any other incumbent to the jurisdiction to the bishop of the diocese, and to the obligation of nominating and paying, under the control of the said bishop, a curate or curates for the due performance of the spiritual duties of such incumbency.

22. The Hospital Building shall be appropriated and used for the occupation of the almspeople, in such a manner and subject to such reasonable regulations as the Governors may from time to time prescribe, consistently with the provisions of this scheme.

23. The almspeople respectively shall be poor persons, not less than fifty years of age, of good character, and not having a wife or husband living, who shall have resided in the borough of Ruthin without receiving parish relief, for not less than three years next preceding the time of their appointment, and who, from age, ill-health, accident, or infirmity, shall be unable to maintain themselves by their own exertions, with a preference for those persons who, being otherwise qualified as aforesaid, shall have become reduced by misfortune from better circumstances.

Whenever there shall be no proper candidate for a vacancy in the Hospital from the borough of Ruthin, poor persons from the deanery of Dyffryn Clwyd, having the like qualifications, shall be eligible for the appointment.

24. There shall be paid to each almsperson, out of the income of the Hospital Endowment, a weekly sum of not less than *six shillings*, and the Governors, in lieu of paying the whole amount of such weekly sums in money, may from time to time expend any suitable portions thereof in providing the almspeople respectively with fuel, clothing, or other necessaries or comforts, as the Governors in their discretion shall think fit.

25. Every vacancy in the Hospital shall be filled up by the Governors, by the appointment of some duly qualified person at their next half-yearly meeting which shall be held after the lapse of one calendar month from the occurrence of such vacancy.

26. No appointment shall be made by the Governors to fill any vacancy in the Hospital, until a notice of such vacancy, specifying the qualification required from candidates, shall have been affixed to or near the principal outer door or entrance gate of the Hospital, and of the parish church of Ruthin,

respectively, for the period of 15 days at the least. Such notice shall be given in every case before the expiration of one calendar month from the occurrence of the vacancy, and may be in the form inserted in the Schedule No. 5.

27. The Governors shall provide and keep a book, in which shall be entered the names, ages, and descriptions of all persons appointed to the Hospital, together with the dates of their respective appointments, and the date and occasion of every vacancy.

28. Application for admission to the Hospital shall be made to the Governors or their clerk, either personally or in writing, and every applicant must be prepared with sufficient testimonials and other evidence of (his) or (her) qualification for the appointment.

29. The Governors may, if they shall so think fit, and whenever the income and resources of the Charity shall suffice for the purpose, appoint a medical officer to attend upon the almspeople, and to supply them with medicines, and such medical appliances as may be necessary, at a yearly salary not exceeding *ten pounds*, such salary to include the cost of such medicines and appliances; and they may also provide the almspeople with any necessary attendance in case of illness, at the cost of the Charity.

30. If any almsperson shall be guilty of insobriety, insubordination, breach of rules, or immoral or unbecoming conduct, or shall become disqualified from retaining (his) or (her) appointment, or if in any case it should appear that any almsperson has been appointed without having the required qualifications, the Governors, upon proof thereof to their satisfaction, may remove such almsperson, and take possession of the tenement or room occupied by (him) or (her), and may proceed to appoint another almsperson in (his) or (her) place, or in any such case (except that of disqualification) the Governors may, if they so think fit, suspend the payment of the stipend to the almsperson, either wholly or in part, during such time as they shall think fit and expedient.

31. No almsperson shall be permitted to let or part with the possession of the room or rooms allotted to (him) or (her) or to suffer any stranger to occupy the same, or any part thereof.

32. The Governors may from time to time prescribe such reasonable regulations as they may consider expedient for the government of the almshouses and the inmates thereof, provided that no such regulation be at variance or inconsistent with any of the provisions of this scheme.

As to the Grammar School.

33. The school buildings and the master's house and appurtenances shall be kept in repair and insured against fire, and all rates and taxes chargeable thereon paid by the Governors, out of the yearly income of the school endowment.

34. The object of the school shall be to provide for the sons of the inhabitants of Ruthin and Llanelidan, in the first place, and (subject to the preferential right of inhabitants of those localities to the benefit of the school) for the sons of all other persons, a sound, classical, commercial, and generally useful education, at a moderate cost; and the Governors, with the sanction and approval of the Charity Commissioners for England and Wales, shall (subject as herein-after mentioned) make and establish, from time to time, proper

proper rules and regulations with regard to the nature of the instruction to be given at the said school, for the admission thereto of boarders, for the payment, regulation, and application of capitation fees, the establishment of prizes, and for dividing the school (if found necessary or proper for the purposes of convenient instruction) into separate departments or sections, and for the appointment of such under-masters, teachers, and instructors as may be required, with such salaries as may be thought proper, and as the circumstances will admit, and generally for the constitution, government, and conduct of the school, and the masters and scholars thereof.

35. So long as the Reverend E. L. Barnwell, the present master of the school, shall continue to hold the office of master, there shall be one master and one under-master of the school; and the said Reverend E. L. Barnwell shall retain the right heretofore enjoyed by the master of appointing the under-master.

36. The said E. L. Barnwell, during his tenure of the said office of master of the said school, shall be entitled to receive *two thirds* of the net annual income of the said school endowment; and the under-master appointed or to be appointed by him shall be entitled to receive the remaining *one third* of such income, for their respective salaries or stipends.

Any regulation to be made by the Governors under the provisions of this scheme, relative to the amount of the capitation fees or other payments to the master or under-master, shall, during the tenure of office by the said Reverend E. L. Barnwell, be subject to his assent.

37. Upon the occurrence of a vacancy in the office of master, notice shall forthwith be given by the clerk to the bishop of the diocese, and sufficient notices shall likewise be inserted by the clerk, at the cost of the Charity, in at least one local newspaper, and in some one or more newspaper published in Oxford, Cambridge, and London, respectively, announcing the vacancy, and inviting candidates to apply for the office.

The master shall be appointed by the bishop of the diocese, not sooner than six weeks, and not later than twelve weeks, after the occurrence of the vacancy, and if the said bishop shall from any cause fail or omit to appoint a new master before the expiration of the said period of twelve weeks, the right of appointment shall for that occasion lapse to the Governors and be exercised by them.

38. Subject to the rights of the present master and usher, the master and under-master respectively shall be removeable by the Governors at any time, for reasonable cause, or without the assignment of cause, after three months' notice in writing from the Governors, according to the resolution of any meeting of the Governors, in which resolution not less than two thirds of their whole number shall concur.

Provided, nevertheless, that no such removal shall be valid or complete until the assent in writing of the bishop of the diocese shall have been given thereto.

39. Nothing herein contained shall authorize any act whereby the income of the present master or under-master shall be diminished, or their tenure of office rendered less secure than at present, without their respective assent.

As to the Exhibition Charity.

40. The income of the Exhibition Endowment shall be applied by the Governors in the payment of exhibitions or scholarships at some university in England to young men educated at the said Grammar School, and elected therefrom after sufficient examination, in such proportions or amounts, for such periods, and according to such rules and regulations, as the Governors, with the sanction of the Charity Commissioners, shall from time to time direct.

Provided, nevertheless, that if in any year or years, owing to the want of duly qualified candidates, or from any other sufficient cause, the whole of the annual income of the said Exhibition Endowment shall not be required for the payment of the aforesaid exhibitions or scholarships, the amount of such income so remaining undisposed of shall be applicable to the repair of the school buildings and the extraordinary requirements of the school, and shall be reserved and accumulated by the Governors as a fund for those purposes, subject to the order or direction of the Charity Commissioners.

41. In the event of the increase or diminution of the income of the respective estates comprised in the said Schedules hereunto annexed, the Governors, with the sanction of the Charity Commissioners, may from time to time increase or reduce as the case may require, the amount of the annual sums payable under the foregoing provisions out of the income of the same estates respectively.

42. If any doubt or question shall arise amongst the Governors, or any of them, as to the proper construction or application of any of the provisions of this scheme, or the management of the charities, application may be made by the Governors to the Charity Commissioners for England and Wales, for their opinion and advice thereon, which when given shall be binding on the Governors; and any provision in this scheme which may require to be explained, or more closely adapted to the circumstances for the time being of the Charities, may be explained and adapted accordingly by an order of the Board of Charity Commissioners for England and Wales, to be made upon the application of the Governors to the said Board.

SCHEDULE 1.

Description.	Contents.	Income.
	A. R. P.	£ *s.* *d.*
Lands and tenements at Llanberis in the county of Carnarvon - - - - - - - -	766 2 11	368 15 0
Yale estate, situated at Lianarmon in Yale in the county of Denbigh - - - - -	104 0 22	48 0 0
		£ 416 15 0

SCHE-

SCHEDULE 2.

Description.	Contents.	Income.
PART 1.	A. R. P.	£ s. d.
Site of cloister and hospital, tithes of Ruthin and Llanrhydd	—	462 10 0
Salusbury's Gift:		
Tyr Tylodion	7 1 33	10 0 0
Rent-charge from Ydoll Rhydowen	—	2 0 0
Rice Williams' Gift:		
Rent-charge from Egarth	—	4 0 0
Peter Davies' Gift:		
Houses at Llanrhydd and Ruthin	—	11 0 0
John Spires' Gift:		
House and garden	—	5 5 5
Turnpike bonds	£639 19 3	31 19 6
		£526 14 11
PART 2.		
Pugh's Gift:		
House and land in Llanbedr	13 1 0	19 0 0
		£545 14 11

SCHEDULE 3.

School, school-house, garden, and appurtenances adjoining the Church and Hospital of Christ at Ruthin	—	—
One moiety of the great and small tithes of the parish of Llanelidan, commuted at 600*l.* by agreement confirmed 23d April 1839, the moiety being	—	300 0 0

SCHEDULE 4.

Carreglwyd estate, situated in Bistre in the parish of Mold in the county of Flint	78 3 28	100 0 0
	£ s. d.	
Money on mortgage	180 0 0	9 0 0
Stock	226 16 11	6 12 2
		£115 12 2
Mineral dead rent	—	25 0 0
		£140 12 2

SCHEDULE 5.

In the matter of the Hospital Charity of Ruthin.

The Governors of this Charity give notice that they will, on the day of 18 , proceed to elect an alms

to

to fill a vacancy in the Hospital which has been occasioned by the
of . The election will take place at
o'clock on that day, at poor
of good character, who have been resident in the parish of .
for three years at least, and who, from age, ill-health, accident, or infirmity, are unable to maintain themselves by their own exertions, are eligible for the appointment, those persons who have become reduced by misfortune from better circumstances being entitled to a preference.

Application for the appointment must be made either personally or in writing to the Governors, or their clerk, at
fourteen days at least previously to the election. Every applicant must state his or her name, address, age, and occupation, and must be prepared with sufficient testimonials and other evidence of his or her qualification for the appointment.

By order.
(Signed) Clerk.

A

B I L L

For confirming a Scheme of the Charity Commissioners for the Management of the Charities in the Borough of Ruthin in the County of Denbigh, comprising the Hospital of Christ and its subsidiary Endowments, the Grammar School, Edward Lloyd's Foundation, and Bishop Goodman's Charity.

(*Prepared and brought in by Mr. Lowe and Mr. Bruce.*)

Ordered, by The House of Commons, *to be Printed,* 11 *June* 1863.

[Bill 161.] *Under 2 oz.*